

1983 Senate Bill 83

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**1983 Wisconsin Act 27**  
**(Vetoed in Part)**

AN ACT to amend and revise chapter 20 of the statutes, and to make diverse other changes in the statutes, relating to state finances and appropriations, constituting the executive budget bill of the 1983 legislature, and making appropriations.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1b. 3.002 of the statutes is amended to read:

~~3.002 Description of boundaries. Wherever in this chapter territory is described by geographic boundaries, such boundaries follow the conventions set forth in s. 4.002 4.003.~~

SECTION 1f. Chapter 4 of the statutes is repealed and recreated to read:

**CHAPTER 4**  
**SENATE AND ASSEMBLY DISTRICTS**  
**SUBCHAPTER I**  
**GENERAL PROVISIONS**

~~4.001 Legislative redistricting; equal population. (1) Based on the certified official results of the 1980 census of population of Wisconsin, as received by this state from the U.S. bureau of the census on March 23, 1981, under P.L. 94-171, the state is divided into 33 senate districts each composed of 3 assembly districts. Each senate district shall be entitled to elect one member of the senate. Each assembly district shall be entitled to elect one representative to the assembly.~~

~~(2) All senate districts, and all assembly districts, are as equal in the number of inhabitants as practicable within the guidelines further set forth in this section. Because the certified total number of inhabitants of this state on the 1980 census date was 4,703,521, each of the 33 senate districts contains approximately 142,562 inhabitants and each of the 99 assembly districts contains approximately 47,531 inhabitants.~~

~~(3) In enacting the 1980 redistricting, the legislature assigned the highest priority to achieving substantial population equality among districts. Thereafter, it considered the following factors as coequal in precedence: compactness, contiguity of area, and community of interest. Island territory (territory belonging to a city, town or village but not contiguous to the main part thereof) is considered a contiguous part of its municipality.~~

~~(4) County lines have been observed to the extent consistent with sub. (2).~~

~~4.002 Municipal wards. (1) DEFINITION. Except as further provided in this section, in this chapter "ward" means the municipal wards created under s. 5.15 based on the results of the 1980 federal census of population and in effect on January 1, 1982.~~

~~(2) MILWAUKEE, CITY OF. Any reference to a ward of the city of Milwaukee means the wards created by ordinance 142 dated November 17, 1981 (file number 80-1517-D), as affected by the elections commission adjustments of August 1982.~~

~~(3) OSHKOSH, CITY OF. Ward 42 of the city of Oshkosh includes the annexation from the town of Algoma.~~

**4.003 Description of boundaries.** Wherever in this chapter territory is described by geographic boundaries, the following conventions are used:

- (1) Each bound continues to the intersection with the bound next named, or to the intersection with a straight-line extension of such bound.
- (2) If the bound is a street, it follows the centerline of such street or the centerline of such street extended.
- (3) If the bound is a railroad right-of-way, it follows the centerline of such railroad right-of-way.
- (4) If the bound is a river or stream, it follows the center of the main channel of such river or stream.
- (5) If the bound follows a municipal boundary, it coincides with such boundary.

**4.004 Elections to the legislature.** Any special election to the legislature called to fill a vacancy for the balance of an unexpired term on or after July 1, 1983, and any regular election to the legislature held after July 1, 1983, shall be from the districts as described in ss. 4.009 and 4.01 to 4.99.

**4.005 Territory omitted from legislative redistricting.** (1) In case any town, village or ward in existence on the effective date of a legislative redistricting act has not been included in any assembly district, such town, village or ward shall be a part of the assembly district by which it is surrounded or, if it falls on the boundary between 2 or more districts, of the adjacent assembly district having the lowest population according to the federal census upon which the redistricting act is based.

(2) The boundaries of legislative districts established by this chapter are not altered by any change in the county boundaries under ch. 2, by the creation of any town, village, city or ward or by any municipal annexation, consolidation or detachment.

**SUBCHAPTER II  
SENATE DISTRICTS**

**4.009 Senate districts.** (1) **FIRST SENATE DISTRICT.** The combination of the 1st, 2nd and 3rd assembly districts shall constitute the first senate district.

(2) **SECOND SENATE DISTRICT.** The combination of the 4th, 5th and 6th assembly districts shall constitute the 2nd senate district.

(3) **THIRD SENATE DISTRICT.** The combination of the 7th, 8th and 9th assembly districts shall constitute the 3rd senate district.

(4) **FOURTH SENATE DISTRICT.** The combination of the 10th, 11th and 12th assembly districts shall constitute the 4th senate district.

(5) **FIFTH SENATE DISTRICT.** The combination of the 13th, 14th and 15th assembly districts shall constitute the 5th senate district.

(6) **SIXTH SENATE DISTRICT.** The combination of the 16th, 17th and 18th assembly districts shall constitute the 6th senate district.

(7) **SEVENTH SENATE DISTRICT.** The combination of the 19th, 20th and 21st assembly districts shall constitute the 7th senate district.

(8) **EIGHTH SENATE DISTRICT.** The combination of the 22nd, 23rd and 24th assembly districts shall constitute the 8th senate district.

(9) **NINTH SENATE DISTRICT.** The combination of the 25th, 26th and 27th assembly districts shall constitute the 9th senate district.

(10) **TENTH SENATE DISTRICT.** The combination of the 28th, 29th and 30th assembly districts shall constitute the 10th senate district.

(11) **ELEVENTH SENATE DISTRICT.** The combination of the 31st, 32nd and 33rd assembly districts shall constitute the 11th senate district.

- (12) TWELFTH SENATE DISTRICT. The combination of the 34th, 35th and 36th assembly districts shall constitute the 12th senate district.
- (13) THIRTEENTH SENATE DISTRICT. The combination of the 37th, 38th and 39th assembly districts shall constitute the 13th senate district.
- (14) FOURTEENTH SENATE DISTRICT. The combination of the 40th, 41st and 42nd assembly districts shall constitute the 14th senate district.
- (15) FIFTEENTH SENATE DISTRICT. The combination of the 43rd, 44th and 45th assembly districts shall constitute the 15th senate district.
- (16) SIXTEENTH SENATE DISTRICT. The combination of the 46th, 47th and 48th assembly districts shall constitute the 16th senate district.
- (17) SEVENTEENTH SENATE DISTRICT. The combination of the 49th, 50th and 51st assembly districts shall constitute the 17th senate district.
- (18) EIGHTEENTH SENATE DISTRICT. The combination of the 52nd, 53rd and 54th assembly districts shall constitute the 18th senate district.
- (19) NINETEENTH SENATE DISTRICT. The combination of the 55th, 56th and 57th assembly districts shall constitute the 19th senate district.
- (20) TWENTIETH SENATE DISTRICT. The combination of the 58th, 59th and 60th assembly districts shall constitute the 20th senate district.
- (21) TWENTY-FIRST SENATE DISTRICT. The combination of the 61st, 62nd and 63rd assembly districts shall constitute the 21st senate district.
- (22) TWENTY-SECOND SENATE DISTRICT. The combination of the 64th, 65th and 66th assembly districts shall constitute the 22nd senate district.
- (23) TWENTY-THIRD SENATE DISTRICT. The combination of the 67th, 68th and 69th assembly districts shall constitute the 23rd senate district.
- (24) TWENTY-FOURTH SENATE DISTRICT. The combination of the 70th, 71st and 72nd assembly districts shall constitute the 24th senate district.
- (25) TWENTY-FIFTH SENATE DISTRICT. The combination of the 73rd, 74th and 75th assembly districts shall constitute the 25th senate district.
- (26) TWENTY-SIXTH SENATE DISTRICT. The combination of the 76th, 77th and 78th assembly districts shall constitute the 26th senate district.
- (27) TWENTY-SEVENTH SENATE DISTRICT. The combination of the 79th, 80th and 81st assembly districts shall constitute the 27th senate district.
- (28) TWENTY-EIGHTH SENATE DISTRICT. The combination of the 82nd, 83rd and 84th assembly districts shall constitute the 28th senate district.
- (29) TWENTY-NINTH SENATE DISTRICT. The combination of the 85th, 86th and 87th assembly districts shall constitute the 29th senate district.
- (30) THIRNETH SENATE DISTRICT. The combination of the 88th, 89th and 90th assembly districts shall constitute the 30th senate district.
- (31) THIRTY-FIRST SENATE DISTRICT. The combination of the 91st, 92nd and 93rd assembly districts shall constitute the 31st senate district.
- (32) THIRTY-SECOND SENATE DISTRICT. The combination of the 94th, 95th and 96th assembly districts shall constitute the 32nd senate district.
- (33) THIRTY-THIRD SENATE DISTRICT. The combination of the 97th, 98th and 99th assembly districts shall constitute the 33rd senate district.

SUBCHAPTER III  
ASSEMBLY DISTRICTS

**4.01 First assembly district.** The following territory shall constitute the first assembly district.

- (1) ~~WHOLE COUNTIES.~~ The counties of Door and Kewaunee.
- (2) ~~BROWN COUNTY.~~ That part of the county of Brown consisting of the towns of Green Bay and Scott.
- 4.02 Second assembly district.** The following territory shall constitute the 2nd assembly district:
- (1) ~~BROWN COUNTY.~~ That part of the county of Brown consisting of: a) the towns of De Pere, Eaton, Glenmore, Holland, Humboldt, Morrison, New Denmark and Rockland; and b) the village of Denmark.
- (2) ~~MANITOWOC COUNTY.~~ That part of the county of Manitowoc consisting of: a) the towns of Cato, Cooperstown, Eaton, Franklin, Gibson, Kossuth, Manitowoc Rapids, Maple Grove, Mishicot, Rockland, Two Creeks and Two Rivers; b) the villages of Francis Creek, Kallnersville, Maribel, Mishicot, Reedsville and Whitelaw; and c) the city of Two Rivers.
- 4.03 Third assembly district.** The following territory shall constitute the 3rd assembly district:
- (1) ~~BROWN COUNTY.~~ That part of the county of Brown consisting of the village of Wrightstown.
- (2) ~~CALUMET COUNTY.~~ That part of the county of Calumet consisting of: a) the towns of Brillion, Brothertown, Charleswyn, Chilton, Harrison, Rantoul, Stockbridge and Woodville; b) the villages of Hilbert, Potter, Sheryood and Stockbridge; c) the cities of Brillion and Chilton; and d) that part of the city of Appleton, located in the county, comprising wards 9, 13, 22 and 23.
- (3) ~~FOND DU LAC COUNTY.~~ That part of the county of Fond du Lac consisting of the town of Calumet.
- (4) ~~OUTAGAMIE COUNTY.~~ That part of the county of Outagamie consisting of: a) the town of Bushanan; b) the village of Combined Locks; and c) that part of the city of Appleton comprising wards 2, 5, 10, 11, 20 and 24.
- (5) ~~WINNEBAGO COUNTY.~~ That part of the county of Winnebago consisting of that part of the city of Appleton, located in the county, comprising ward 21.
- 4.04 Fourth assembly district.** The following territory shall constitute the 4th assembly district:
- (1) ~~OCONTO COUNTY.~~ That part of the county of Oconto consisting of: a) the towns of Abrams, Chase, Morgan, Oconto Falls and Underhill; and b) the city of Oconto Falls.
- (2) ~~OUTAGAMIE COUNTY.~~ That part of the county of Outagamie consisting of: a) the towns of Black Creek, Bovina, Center, Cicero, Oneida, Osborn and Seymour; b) the villages of Black Creek, Nichols and Shiocton; and c) the city of Seymour.
- (3) ~~SHAWANO COUNTY.~~ That part of the county of Shawano consisting of: a) the towns of Angelica, Belle Plaine, Green Valley, Hartland, Herman, Lessor, Maple Grove, Navarino, Pella, Richmond, Washington, Waukechon and Wescott; b) the villages of Bonduel and Cecil; and c) the city of Shawano.
- 4.05 Fifth assembly district.** The following territory shall constitute the 5th assembly district:
- (1) ~~BROWN COUNTY.~~ That part of the county of Brown consisting of: a) the towns of Lawrence and Wrightstown; and b) that part of the city of De Pere comprising wards 1, 2, 3, 4, 5, 6, 7 and 8.
- (2) ~~OUTAGAMIE COUNTY.~~ That part of the county of Outagamie consisting of: a) the towns of Freedom, Kaukauna and Vandenbroek; b) the villages of Kimberly and Little Chute; and c) the city of Kaukauna.

**4.06 Sixth assembly district.** The following territory in the county of Brown shall constitute the 6th assembly district: a) the towns of Allouez and Bellevue; and b) that part of the city of Green Bay comprising wards 1, 2, 3, 4, 5, 6, 13, 14, 15, 16, 17, 18, 19, 20 and 22.

**4.07 Seventh assembly district.** The following territory in the county of Milwaukee shall constitute the 7th assembly district: that part of the city of Milwaukee comprising wards 66, 69, 70, 71, 72, 73, 74, 75, 76, 77, 132, 137, 138, 140, 304, 305, 306, 307, 308, 311, 312 and 313.

**4.08 Eighth assembly district.** The following territory in the county of Milwaukee shall constitute the 8th assembly district: a) that part of the city of Milwaukee comprising wards 78, 79, 143, 144, 145, 146, 147, 148, 149, 150, 154, 155, 158, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323 and 324; and b) that part of the city of West Allis comprising wards 16 and 17.

**4.09 Ninth assembly district.** The following territory in the county of Milwaukee shall constitute the 9th assembly district: that part of the city of Milwaukee comprising wards 151, 152, 153, 156, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 235, 236, 237, 238, 239 and 262.

**4.10 Tenth assembly district.** The following territory shall constitute the 10th assembly district:

(1) MILWAUKEE COUNTY. That part of the county of Milwaukee consisting of: a) the villages of Fox Point, River Hills, Shorewood and Western Bay; b) that part of the village of Bayside located in the county; and c) that part of the city of Glendale comprising wards 3, 4, 8 and 9.

(2) OZAUKEE COUNTY. That part of the county of Ozaukee consisting of that part of the village of Bayside located in the county.

**4.11 Eleventh assembly district.** The following territory in the county of Milwaukee shall constitute the 11th assembly district: a) the village of Brown Deer; b) that part of the city of Glendale comprising wards 1, 2, 5, 6, 7, 10, 11 and 12; and c) that part of the city of Milwaukee comprising wards 163, 164, 165, 166, 167, 168, 169, 171, 172, 173, 178 and 179.

**4.12 Twelfth assembly district.** The following territory in the county of Milwaukee shall constitute the 12th assembly district: that part of the city of Milwaukee comprising wards 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63 and 65.

**4.13 Thirteenth assembly district.** The following territory shall constitute the 13th assembly district:

(1) MILWAUKEE COUNTY. That part of the county of Milwaukee consisting of that part of the city of Milwaukee comprising wards 80, 81, 82, 83, 85, 170, 174, 175, 176, 177, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 299 and 300.

(2) WASHINGTON COUNTY. That part of the county of Washington consisting of that part of ward 285 of the city of Milwaukee located in the county.

**4.14 Fourteenth assembly district.** The following territory in the county of Milwaukee shall constitute the 14th assembly district: that part of the city of Milwaukee comprising wards 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 123, 124, 125, 129, 130, 133, 134, 135, 139, 141, 142, 309 and 310.

**4.15 Fifteenth assembly district.** The following territory in the county of Milwaukee shall constitute the 15th assembly district: that part of the city of Milwaukee comprising wards 19, 20, 21, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 84, 86, 87, 88, 89, 126, 127, 130, 181 and 182.

**4.16 Sixteenth assembly district.** The following territory in the county of Milwaukee shall constitute the 16th assembly district: that part of the city of Milwaukee comprising wards 1, 2, 3, 22, 23, 24, 29, 30, 122, 128, 131, 136, 183, 184, 185, 187, 188, 189, 190, 191, 192 and 193.

**4.17 Seventeenth assembly district.** The following territory in the county of Milwaukee shall constitute the 17th assembly district: that part of the city of Milwaukee comprising wards 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 105, 106, 107, 108, 109, 110, 111, 112 and 186.

**4.18 Eighteenth assembly district.** The following territory in the county of Milwaukee shall constitute the 18th assembly district: that part of the city of Milwaukee comprising wards 16, 17, 18, 67, 68, 113, 114, 115, 116, 117, 118, 119, 120, 121, 194, 195, 196, 197, 198, 199 and 303.

**4.19 Nineteenth assembly district.** The following territory in the county of Milwaukee shall constitute the 19th assembly district: a) the city of St. Francis; and b) that part of the city of Milwaukee comprising wards 64, 234, 260, 261, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 280.

**4.20 Twentieth assembly district.** The following territory in the county of Milwaukee shall constitute the 20th assembly district: that part of the city of Milwaukee comprising wards 205, 206, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 279 and 281.

**4.21 Twenty-first assembly district.** The following territory in the county of Milwaukee shall constitute the 21st assembly district: a) the cities of Cudahy and South Milwaukee; and b) that part of the city of Oak Creek comprising wards 2, 6, 7, 9, 10, 11 and 12.

**4.22 Twenty-second assembly district.** The following territory in the county of Milwaukee shall constitute the 22nd assembly district: that part of the city of West Allis comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 34.

**4.23 Twenty-third assembly district.** The following territory in the county of Milwaukee shall constitute the 23rd assembly district: a) that part of the village of Greendale comprising wards 7 and 9; b) the city of Greenfield; and c) that part of the city of West Allis comprising wards 18, 28, 29, 30, 31, 32 and 33.

**4.24 Twenty-fourth assembly district.** The following territory in the county of Milwaukee shall constitute the 24th assembly district: a) the village of West Milwaukee; and b) that part of the city of Milwaukee comprising wards 157, 159, 160, 161, 162, 200, 201, 202, 203, 204, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219 and 220.

**4.25 Twenty-fifth assembly district.** The following territory shall constitute the 25th assembly district:

(1) CALUMET COUNTY. That part of the county of Calumet consisting of that part of the city of Kiel located in the county.

(2) MANITOWOC COUNTY. That part of the county of Manitowoc consisting of: a) the towns of Centerville, Liberty, Manitowoc, Meeme, Newton and Schleswig; b) the villages of Cleveland, St. Nazianz and Valders; c) the city of Manitowoc; and d) that part of the city of Kiel located in the county.

**4.26 Twenty-sixth assembly district.** The following territory in the county of Sheboygan shall constitute the 26th assembly district: a) the towns of Mosel and Sheboygan; b) the village of Kohler; c) the city of Sheboygan Falls; and d) that part of the city of Sheboygan comprising wards 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 and 16.

**4.27 Twenty-seventh assembly district.** The following territory shall constitute the 27th assembly district:

(1) CALUMET COUNTY. That part of the county of Calumet consisting of: a) the town of New Holstein; and b) the city of New Holstein.

(2) SHEBOYGAN COUNTY. That part of the county of Sheboygan consisting of: a) the towns of Greenbush, Herman, Lima, Lyndon, Mitchell, Plymouth, Rhine, Russell, Sheboygan Falls and Wilson; b) that part of the town of Holland comprising ward 2; c) the villages of Cascade, Elkhart Lake, Glenbeulah, Howards Grove and Waldo; d) the city of Plymouth; and e) that part of the city of Sheboygan comprising wards 7, 8, 9 and 10.

**4.28 Twenty-eighth assembly district.** The following territory shall constitute the 28th assembly district:

(1) PIERCE COUNTY. That part of the county of Pierce consisting of: a) the towns of Clinton, Diamond Bluff, Ellsworth, El Paso, Gilman, Hartland, Isabelle, Maiden Rock, Martell, Oak Grove, River Falls, Rock Elm, Salem, Spring Lake, Trenton, Trumbelle and Union; b) the villages of Bay City, Ellsworth, Elmwood, Maiden Rock and Plum City; c) that part of the village of Spring Valley located in the county; d) the city of Prescott; and e) that part of the city of River Falls located in the county.

(2) ST. CROIX COUNTY. That part of the county of St. Croix consisting of: a) the towns of Hudson, Kinnickinnic, Troy and Warren; b) the villages of North Hudson and Roberts; c) the city of Hudson; and d) that part of the city of River Falls located in the county.

**4.29 Twenty-ninth assembly district.** The following territory shall constitute the 29th assembly district:

(1) DUNN COUNTY. That part of the county of Dunn consisting of: a) the towns of Eau Galle, Hay River, Lucas, Menomonie, New Haven, Sheridan, Stanton, Tiffany, Weston and Wilson; b) the villages of Boyceville, Downing, Knapp, Ridgeland and Wheeler; and c) the city of Menomonie.

(2) ST. CROIX COUNTY. That part of the county of St. Croix consisting of: a) the towns of Baldwin, Cady, Eau Galle, Emerald, Erin Prairie, Glenwood, Hammond, Pleasant Valley, Richmond, Rush River, St. Joseph, Somerset, Springfield and Star Prairie; b) the villages of Baldwin, Hammond, Somerset, Star Prairie, Wilson and Woodville; c) that part of the village of Spring Valley located in the county; and d) the cities of Greenwood City and New Richmond.

**4.30 Thirtieth assembly district.** The following territory shall constitute the 30th assembly district:

(1) WHOLE COUNTIES. The counties of Burnett and Polk.

(2) ST. CROIX COUNTY. That part of the county of St. Croix consisting of: a) the towns of Cylon, Forest and Stanton; and b) the village of Deer Park.

**4.31 Thirty-first assembly district.** The following territory shall constitute the 31st assembly district:

(1) JEFFERSON COUNTY. That part of the county of Jefferson consisting of: a) the towns of Concord, Farmington and Sullivan; and b) the villages of Johnson Creek and Sullivan.

(2) WAUKESHA COUNTY. That part of the county of Waukesha consisting of: a) the towns of Delafield, Eagle, Genesee and Ottawa; b) that part of the town of Brookfield comprising wards 3, 5, 6 and 7; c) that part of the town of Mukwonago comprising wards 1, 2, 3, 5 and 6; d) that part of the town of Pewaukee comprising wards 2, 3, 11, 13 and 14; e) the villages of Dousman, Eagle, Hartland, Mukwonago, North Prairie and Wales; and f) that part of the city of Waukesha comprising ward 1.

**4.32 Thirty-second assembly district.** The following territory in the county of Waukesha shall constitute the 32nd assembly district: a) that part of the town of Pewaukee comprising wards 1, 4 to 10 and 12; b) that part of the town of Waukesha comprising

wards 1 to 5, 7 and 8; c) the village of Pewaukee; and d) that part of the city of Waukesha comprising wards 2, 3, 7, 9, 10, 11, 12, 13, 14, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31.

**4.33 Thirty-third assembly district.** The following territory shall constitute the 33rd assembly district:

(1) WASHINGTON COUNTY. That part of the county of Washington consisting of the town of Richfield.

(2) WAUKESHA COUNTY. That part of the county of Waukesha consisting of: a) the towns of Merton, Oconomowoc and Summit; b) that part of the town of Lisbon comprising wards 1 and 7 to 13; c) the villages of Chenequa, Lac La Belle, Merton, Nashotah and Oconomowoc Lake; and d) the cities of Delafield and Oconomowoc.

**4.34 Thirty-fourth assembly district.** The following territory shall constitute the 34th assembly district: the counties of Oneida and Vilas.

**4.35 Thirty-fifth assembly district.** The following territory shall constitute the 35th assembly district:

(1) LANGLADE COUNTY. That part of the county of Langlade consisting of: a) the towns of Akeley, Ainsworth, Antigo, Elcho, Neva, Norwood, Parrish, Peck, Polar, Price, Rolling, Summit, Upham and Vilas; and b) the city of Antigo.

(2) LINCOLN COUNTY. The county of Lincoln.

(3) MARATHON COUNTY. That part of the county of Marathon consisting of the towns of Berlin and Texas.

**4.36 Thirty-sixth assembly district.** The following territory shall constitute the 36th assembly district:

(1) WHOLE COUNTIES. The counties of Florence, Forest and Menominee.

(2) LANGLADE COUNTY. That part of the county of Langlade consisting of: a) the towns of Evergreen, Langlade and Wolf River; and b) the village of White Lake.

(3) MARATHON COUNTY. That part of the county of Marathon consisting of: a) the towns of Easton, Elderon, Harrison, Hewitt, Norrie and Plover; and b) the village of Elderon.

(4) MARINETTE COUNTY. That part of the county of Marinette consisting of: a) the towns of Amberg, Athelstane, Beecher, Dunbar, Goodman, Middle Inlet, Niagara, Penthu, Silver Cliff, Wagner and Wausaukee; and b) the villages of Niagara and Wausaukee.

(5) OCONTO COUNTY. That part of the county of Oconto consisting of the towns of Armstrong, Brazeau, Breed, Doty, Lakewood, Riverview and Townsend.

(6) SHAWANO COUNTY. That part of the county of Shawano consisting of: a) the towns of Alaron, Aniwa, Bartelme, Birnamwood, Fairbanks, Grant, Hutchins, Morris, Red Springs, Seneca and Wittenberg; and b) the villages of Aniwa, Birnamwood, Bowler, Eland, Gresham, Mattoon, Tigerton and Wittenberg.

**4.37 Thirty-seventh assembly district.** The following territory shall constitute the 37th assembly district:

(1) DODGE COUNTY. That part of the county of Dodge consisting of that part of the city of Watertown located in the county.

(2) JEFFERSON COUNTY. That part of the county of Jefferson consisting of: a) the towns of Ixonia, Koshkonong, Lake Mills, Milford, Oakland, Waterloo and Watertown; b) that part of the village of Cambridge located in the county; c) the cities of Fort Atkinson, Lake Mills and Waterloo; and d) that part of the city of Watertown located in the county.

**4.38 Thirty-eighth assembly district.** The following territory shall constitute the 38th assembly district:

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(1) JEFFERSON COUNTY. That part of the county of Jefferson consisting of: a) the towns of Axialan, Cold Spring, Hebron, Jefferson and Palmyra; b) the village of Palmyra; c) the city of Jefferson; and d) that part of the city of Whitewater located in the county.

(2) ROCK COUNTY. That part of the county of Rock consisting of: a) the towns of Harmony, Johnstown and Lima; and b) that part of the city of Janesville comprising wards 2, 15, 16, 17, 18 and 19.

(3) WALWORTH COUNTY. That part of the county of Walworth consisting of: a) the towns of La Grange and Whitewater; and b) that part of the city of Whitewater located in the county.

**4.39 Thirty-ninth assembly district.** The following territory shall constitute the 39th assembly district:

(1) COLUMBIA COUNTY. That part of the county of Columbia consisting of that part of the village of Randolph located in the county.

(2) DODGE COUNTY. That part of the county of Dodge consisting of: a) the towns of Beaver Dam, Burnett, Calamus, Chester, Clyman, Emmet, Fox Lake, Hustisford, Lebanon, LeRoy, Lowell, Oak Grove, Shields and Trenton; b) the villages of Clyman, Hustisford, Lowell and Reeseville; c) that part of the village of Randolph located in the county; d) the cities of Beaver Dam, Fox Lake and Juneau; and e) that part of the city of Waupun located in the county.

(3) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of that part of the city of Waupun located in the county.

**4.40 Fortieth assembly district.** The following territory shall constitute the 40th assembly district:

(1) OUTAGAMIE COUNTY. That part of the county of Outagamie consisting of: a) the towns of Deer Creek, Ellington, Hortonia, Liberty, Maine and Maple Creek; b) the villages of Bear Creek and Hortonville; and c) that part of the city of New London located in the county.

(2) WAUPACA COUNTY. That part of the county of Waupaca consisting of: a) the towns of Bear Creek, Caledonia, Dayton, Dupont, Fremont, Helvetia, Iola, Larrabee, Lebanon, Lind, Little Wolf, Matteson, Mukwa, Royalton, St. Lawrence, Union, Waupaca and Weyauwega; b) the villages of Embarrass, Fremont, Iola and Ogdensburg; c) the cities of Clintonville, Manawa, Marion, Waupaca and Weyauwega; and d) that part of the city of New London located in the county.

**4.41 Forty-first assembly district.** The following territory shall constitute the 41st assembly district:

(1) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of: a) the towns of Alto, Metomen and Ripon; b) the villages of Brandon and Fairwater; and c) the city of Ripon.

(2) GREEN LAKE COUNTY. The county of Green Lake.

(3) WAUSHARA COUNTY. That part of the county of Waushara consisting of: a) the towns of Aurora, Bloomfield, Dakota, Leon, Marion, Mt. Morris, Poy Sippi, Saxeville, Springwater, Warren and Wautoma; b) the villages of Lohrville, Redgranite and Wild Rose; c) the city of Wautoma; and d) that part of the city of Berlin located in the county.

(4) WINNEBAGO COUNTY. That part of the county of Winnebago consisting of the towns of Nepeuskun, Poygan, Rushford and Wolf River.

**4.42 Forty-second assembly district.** The following territory shall constitute the 42nd assembly district:

(1) WHOLE COUNTIES. The counties of Juneau and Marquette.

(2) ADAMS COUNTY. That part of the county of Adams consisting of the towns of Dell Prairie, Easton, Jackson, Lincoln, New Chester, New Haven, Richfield and Springville.

(3) **MONROE COUNTY.** That part of the county of Monroe consisting of: a) the towns of Clinton, Glendale, Ridgeville, Sheldon, Wellington and Wilton; and b) the villages of Kendall, Norwalk and Wilton.

(4) **WAUSHARA COUNTY.** That part of the county of Waushara consisting of: a) the towns of Coloma, Deerfield, Hancock, Oasis, Plainfield, Richford and Rose; and b) the villages of Coloma, Hancock and Plainfield.

**4.43 Forty-third assembly district.** The following territory in the county of Walworth shall constitute the 43rd assembly district: a) the towns of Darien, Delavan, Geneva, Lafayette, Linn, Lyons, Richmond, Sharon, Spring Prairie, Sugar Creek and Walworth; b) the villages of Darien, Fontana-on-Geneva Lake, Sharon, Walworth and Williams Bay; c) the cities of Delavan, Elkhorn and Lake Geneva; and d) that part of the city of Burlington located in the county.

**4.44 Forty-fourth assembly district.** The following territory in the county of Rock shall constitute the 44th assembly district: a) the towns of Bradford, Clinton, Janesville, La Prairie and Rock; b) the village of Clinton; and c) that part of the city of Janesville comprising wards 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 20 and 21.

**4.45 Forty-fifth assembly district.** The following territory in the county of Rock shall constitute the 45th assembly district: a) the towns of Beloit, Newark and Turtle; and b) the city of Beloit.

**4.46 Forty-sixth assembly district.** The following territory in the county of Dane shall constitute the 46th assembly district: a) the towns of Alton, Bristol, Christiana, Deerfield, Dunkirk, Medina, Pleasant Springs, Rutland, Sun Prairie and Windsor; b) the villages of Deerfield, DeForest, Marshall and Rockdale; c) that part of the village of Cambridge located in the county; and d) the cities of Stoughton and Sun Prairie.

**4.47 Forty-seventh assembly district.** The following territory shall constitute the 47th assembly district:

(1) **GREEN COUNTY.** That part of the county of Green consisting of: a) the towns of Adams, Albany, Cadiz, Clarno, Decatur, Jefferson, Jordan, Monroe, Mt. Pleasant, Spring Grove, Sylvester, Washington and York; b) the villages of Albany, Browntown and Monticello; and c) the cities of Brodhead and Monroe.

(2) **JEFFERSON COUNTY.** That part of the county of Jefferson consisting of the town of Spinner.

(3) **ROCK COUNTY.** That part of the county of Rock consisting of: a) the towns of Avon, Centex, Fulton, Magnolia, Milton, Plymouth, Porter and Spring Valley; b) the villages of Footville and Orfordville; and c) the cities of Edgerton and Milton.

**4.48 Forty-eighth assembly district.** The following territory in the county of Dane shall constitute the 48th assembly district: a) the towns of Blooming Grove, Burke and Cottage Grove; b) the villages of Cottage Grove and McFarland; c) the city of Monona; and d) that part of the city of Madison comprising wards 1, 2, 4, 5, 8, 9, 10, 11, 12, 13 and 20.

**4.49 Forty-ninth assembly district.** The following territory shall constitute the 49th assembly district:

(1) **GRANT COUNTY.** That part of the county of Grant consisting of: a) the towns of Beetown, Bloomington, Cassville, Castle Rock, Clifton, Ellenboro, Fennimore, Glen Haven, Harrison, Hickory Grove, Liberty, Lima, Little Grant, Mt. Hope, Mt. Ida, Muscoda, North Lancaster, Platteville, Potosi, South Lancaster, Waterloo, Waterstown and Wingville; b) the villages of Bloomington, Blue River, Cassville, Mt. Hope, Potosi and Tennyson; c) that part of the village of Livingston located in the county; d) that part of the village of Muscoda located in the county; and e) the cities of Fennimore, Lancaster and Platteville.

(2) IOWA COUNTY. That part of the county of Iowa consisting of that part of the village of Livingston located in the county.

(3) RICHLAND COUNTY. That part of the county of Richland consisting of: a) the towns of Akan, Dayton, Eagle, Forest, Marshall, Orion, Richland, Richwood and Sylvan; b) the village of Boaz; c) that part of the village of Viola located in the county; and d) the city of Richland Center.

(4) VERNON COUNTY. That part of the county of Vernon consisting of that part of the village of Viola located in the county.

**4.50 Fiftyth assembly district.** The following territory shall constitute the 50th assembly district:

(1) COLUMBIA COUNTY. That part of the county of Columbia consisting of: a) the towns of Fort Winnebago, Lewiston, Marcellon, Newport, Randolph and Scott; b) the village of Friesland; c) the city of Portage; and d) that part of the city of Wisconsin Dells located in the county.

(2) RICHLAND COUNTY. That part of the county of Richland consisting of: a) the towns of Bloom, Henrietta, Rockbridge, Westford and Willow; b) the village of Yuba; and c) that part of the village of Cazenovia located in the county.

(3) SAUK COUNTY. That part of the county of Sauk consisting of: a) the towns of Baraboo, Dellona, Delton, Excelsior, Fairfield, Freedom, Ironton, La Valle, Reedsburg, Washington, Westfield, Winfield and Woodland; b) the villages of Ironton, Lake Delton, La Valle, Lime Ridge, Loganville, North Freedom, Rock Springs and West Baraboo; c) that part of the village of Cazenovia located in the county; d) the cities of Baraboo and Reedsburg; and e) that part of the city of Wisconsin Dells located in the county.

**4.51 Fifty-first assembly district.** The following territory shall constitute the 51st assembly district:

(1) GRANT COUNTY. That part of the county of Grant consisting of: a) the towns of Hazel Green, Jamestown, Paris and Smelser; b) the village of Dickeyville; c) that part of the village of Hazel Green located in the county; d) that part of the village of Montfort located in the county; and e) that part of the city of Cuba City located in the county.

(2) IOWA COUNTY. That part of the county of Iowa consisting of: a) the towns of Arena, Brigham, Clyde, Dodgeville, Eden, Highland, Linden, Mifflin, Mineral Point, Moscow, Pulaski, Ridgeway, Waldwick and Wyoming; b) the villages of Arena, Avoca, Barneveld, Cobb, Highland, Hollandale, Linden, Rewey and Ridgeway; c) that part of the village of Blanchardville located in the county; d) that part of the village of Montfort located in the county; e) that part of the village of Muscoda located in the county; and f) the cities of Dodgeville and Mineral Point.

(3) LAFAYETTE COUNTY. The county of Lafayette.

**4.52 Fifty-second assembly district.** The following territory shall constitute the 52nd assembly district:

(1) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of: a) the towns of Fond du Lac and Friendship; b) the village of North Fond du Lac; and c) the city of Fond du Lac.

(2) WINNEBAGO COUNTY. That part of the county of Winnebago consisting of the town of Black Wolf.

**4.53 Fifty-third assembly district.** The following territory shall constitute the 53rd assembly district:

(1) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of: a) the towns of Auburn, Empire, Forest, Marshfield, Osceola and Taychedah; and b) the villages of Mt. Calvary and St. Cloud.

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(2) OZAUKEE COUNTY. That part of the county of Ozaukee consisting of: a) the town of Fredonia; and b) the village of Fredonia.

(3) SHEBOYGAN COUNTY. That part of the county of Sheboygan consisting of the town of Scott.

(4) WASHINGTON COUNTY. That part of the county of Washington consisting of: a) the towns of Barton, Farmington and Trenton; and b) the city of West Bend.

**4.54 Fifty-fourth assembly district.** The following territory in the county of Winnebago shall constitute the 54th assembly district: that part of the city of Oshkosh comprising wards 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44 and 45.

**4.55 Fifty-fifth assembly district.** The following territory in the county of Winnebago shall constitute the 55th assembly district: a) the town of Menasha; b) the city of Menasha; and c) that part of the city of Neenah comprising wards 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

**4.56 Fifty-sixth assembly district.** The following territory shall constitute the 56th assembly district:

(1) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of: a) the towns of Byron, Eden, Eldorado, Lamartine, Oakfield, Rosendale, Springvale and Wapuna; and b) the villages of Eden, Oakfield and Rosendale.

(2) OUTAGAMIE COUNTY. That part of the county of Outagamie consisting of the towns of Dale and Greenville.

(3) WINNEBAGO COUNTY. That part of the county of Winnebago consisting of: a) the towns of Algoma, Clayton, Neenah, Nekimi, Omro, Oshkosh, Utica, Vinland, Winchester and Winneconne; b) the village of Winneconne; c) the city of Omro; d) that part of the city of Neenah comprising wards 2 and 6; and e) that part of the city of Oshkosh comprising ward 36.

**4.57 Fifty-seventh assembly district.** The following territory in the county of Outagamie shall constitute the 57th assembly district: a) the town of Grand Chute; and b) that part of the city of Appleton comprising wards 1, 3, 4, 6, 7, 8, 12, 14, 15, 16, 17, 18 and 19.

**4.58 Fifty-eighth assembly district.** The following territory shall constitute the 58th assembly district:

(1) OZAUKEE COUNTY. That part of the county of Ozaukee consisting of: a) the town of Cedarburg; b) the village of Thiensville; and c) the city of Mequon.

(2) WASHINGTON COUNTY. That part of the county of Washington consisting of: a) the towns of Germantown, Jackson, Polk and West Bend; and b) the villages of Germantown and Jackson.

**4.59 Fifty-ninth assembly district.** The following territory shall constitute the 59th assembly district:

(1) DODGE COUNTY. That part of the county of Dodge consisting of: a) the towns of Ashippun, Herman, Hubbard, Lomira, Rubicon, Theresa and Williamstown; b) the villages of Brownsville, Iron Ridge, Kekoskee, Lomira, Neosho and Theresa; and c) the cities of Horicon and Mayville.

(2) FOND DU LAC COUNTY. That part of the county of Fond du Lac consisting of: a) the town of Ashford; and b) the village of Campbellsport.

(3) WASHINGTON COUNTY. That part of the county of Washington consisting of: a) the towns of Addison, Erin, Hartford, Kewaskum and Wayne; b) the villages of Kewaskum and Singer; and c) the city of Hartford.

**4.60 Sixtieth assembly district.** The following territory shall constitute the 60th assembly district:

(1) OZAUKEE COUNTY. That part of the county of Ozaukee consisting of: a) the towns of Belgium, Grafton, Port Washington and Saukville; b) the villages of Belgium, Grafton and Saukville; c) that part of the village of Newburg located in the county; and d) the cities of Cedarburg and Port Washington.

(2) SHEBOYGAN COUNTY. That part of the county of Sheboygan consisting of: a) the town of Sherman; b) that part of the town of Holland comprising wards 1 and 3; and c) the villages of Adell, Cedar Grove, Oostburg and Random Lake.

(3) WASHINGTON COUNTY. That part of the county of Washington consisting of that part of the village of Newburg located in the county.

**4.61 Sixty-first assembly district.** The following territory in the county of Racine shall constitute the 61st assembly district: a) the villages of North Bay and Wind Point; and b) that part of the city of Racine comprising wards 1, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 23, 29, 30, 31 and 32.

**4.62 Sixty-second assembly district.** The following territory in the county of Racine shall constitute the 62nd assembly district: a) that part of the town of Mt. Pleasant comprising wards 1 and 4 to 6; b) the village of Elmwood Park; and c) that part of the city of Racine comprising wards 2, 3, 4, 6, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27 and 28.

**4.63 Sixty-third assembly district.** The following territory in the county of Racine shall constitute the 63rd assembly district: a) the towns of Caledonia, Raymond and Yorkville; b) that part of the town of Mt. Pleasant comprising wards 2, 3 and 7 to 12; and c) the villages of Sturtevant and Union Grove.

**4.64 Sixty-fourth assembly district.** The following territory in the county of Kenosha shall constitute the 64th assembly district: a) the town of Somers; and b) that part of the city of Kenosha comprising wards 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 19, 20, 21, 22, 23, 31 and 32.

**4.65 Sixty-fifth assembly district.** The following territory in the county of Kenosha shall constitute the 65th assembly district: a) that part of the town of Pleasant Prairie comprising wards 1 to 4, 6 and 7; and b) that part of the city of Kenosha comprising wards 4, 5, 6, 14, 15, 16, 17, 18, 24, 25, 26, 27, 28, 29, 30, 33 and 34.

**4.66 Sixty-sixth assembly district.** The following territory shall constitute the 66th assembly district:

(1) KENOSHA COUNTY. That part of the county of Kenosha consisting of: a) the towns of Brighton, Bristol, Paris, Randall, Salem and Wheatland; b) that part of the town of Pleasant Prairie comprising wards 5, 8 and 9; and c) the villages of Paddock Lake, Silver Lake and Twin Lakes.

(2) RACINE COUNTY. That part of the county of Racine consisting of: a) the town of Burlington; and b) that part of the city of Burlington located in the county.

(3) WALWORTH COUNTY. That part of the county of Walworth consisting of: a) the town of Bloomfield; and b) the village of Genoa City.

**4.67 Sixty-seventh assembly district.** The following territory shall constitute the 67th assembly district:

(1) BARRON COUNTY. That part of the county of Barron consisting of that part of the village of New Auburn located in the county.

(2) CHIPPEWA COUNTY. That part of the county of Chippewa consisting of: a) the towns of Arthur, Auburn, Bloomer, Cleveland, Cooks Valley, Eagle Point, Estella, Halhe, Howard, Lake Holcombe, Ruby, Tilden, Wheaton and Woodmohr; b) that part of the village of New Auburn located in the county; and c) the cities of Bloomer, Chippewa Falls and Cornell.

(3) ~~DOWN COUNTY.~~ That part of the county of Dunn consisting of: a) the towns of Colfax, Dunn, Elk Mound, Grant, Otter Creek, Peru, Red Cedar, Sand Creek, Sherman, Spring Brock and Tainter; and b) the villages of Colfax and Elk Mound.

(4) ~~RUSK COUNTY.~~ That part of the county of Rusk consisting of: a) the towns of Marshall and Willard; and b) the village of Sheldon.

~~4.68 Sixty-eighth assembly district.~~ The following territory shall constitute the 68th assembly district:

(1) ~~CHIPPEWA COUNTY.~~ That part of the county of Chippewa consisting of: a) the towns of Anson, Colburn, Delmar, Edson, Goetz, Lafayette and Sigel; b) the villages of Boyd and Cadott; c) the city of Stanley; and d) that part of the city of Eau Claire, located in the county, comprising ward 16.

(2) ~~CLARK COUNTY.~~ That part of the county of Clark consisting of the towns of Thorp and Warden.

(3) ~~EAU CLAIRE COUNTY.~~ That part of the county of Eau Claire consisting of: a) the towns of Seymour and Union; and b) that part of the city of Eau Claire comprising wards 1, 6, 7, 8, 9, 10, 11, 12 and 14.

(4) ~~TAYLOR COUNTY.~~ That part of the county of Taylor consisting of the town of Taft.

~~4.69 Sixty-ninth assembly district.~~ The following territory shall constitute the 69th assembly district:

(1) ~~CLARK COUNTY.~~ That part of the county of Clark consisting of: a) the towns of Beaver, Colby, Dewhurst, Eaton, Fremont, Grant, Green Grove, Hewett, Hixon, Hoard, Lewis, Longwood, Loyal, Lynn, Mayville, Pine Valley, Reseburg, Seif, Sherman, Sherwood, Unity, Warner, Washburn, Weston, Withee and York; b) the villages of Cutliss, Dorchester, Granton and Withee; c) that part of the village of Unity located in the county; d) the cities of Greenwood, Loyal, Neillsville, Owen and Thorp; e) that part of the city of Abbotsford located in the county; and f) that part of the city of Colby located in the county.

(2) ~~MARATHON COUNTY.~~ That part of the county of Marathon consisting of: a) the towns of Brighton, Eau Pleine, Frankfort, Holton, Hull, Johnson, McMillan and Spencer; b) the village of Spencer; c) that part of the village of Unity located in the county; d) that part of the city of Abbotsford located in the county; and e) that part of the city of Colby located in the county.

(3) ~~TAYLOR COUNTY.~~ That part of the county of Taylor consisting of: a) the towns of Anropa, Cleveland, Deer Creek, Ford, Grover, Holway, Jump River, Little Black, McKinley, Maplehurst, Pershing and Roosevelt; and b) the villages of Gilman, Lublin and Stetsonville.

~~4.70 Seventieth assembly district.~~ The following territory shall constitute the 70th assembly district:

(1) ~~MARATHON COUNTY.~~ That part of the county of Marathon consisting of that part of the city of Marshfield located in the county.

(2) ~~PORTAGE COUNTY.~~ That part of the county of Portage consisting of: a) the towns of Alban, Carson, Dewey, Eau Pleine and Sharon; b) the villages of Junction City and Rosholt; and c) that part of the village of Milladore located in the county.

(3) ~~WOOD COUNTY.~~ That part of the county of Wood consisting of: a) the towns of Arpin, Auburndale, Cameron, Cary, Cranmoor, Dexter, Hansen, Hiles, Lincoln, Marshfield, Milladore, Port Edwards, Remington, Richfield, Rock, Rudolph, Seneca, Sherry, Sigel and Wood; b) the villages of Arpin, Auburndale, Hewitt, Rudolph and Vesper; c) that part of the village of Milladore located in the county; d) the cities of Nekoosa and Pittsville; and e) that part of the city of Marshfield located in the county.

**4.71 Seventy-first assembly district.** The following territory shall constitute the 71st assembly district:

(1) PORTAGE COUNTY. That part of the county of Portage consisting of: a) the towns of Almond, Amherst, Belmont, Hull, Lanark, New Hope and Stockton; b) the villages of Almond, Amherst, Amherst Junction, Nelsonville, Park Ridge, Plover and Whiting; and c) the city of Stevens Point.

(2) WAUPACA COUNTY. That part of the county of Waupaca consisting of: a) the towns of Farmington and Scandinavia; and b) the village of Scandinavia.

**4.72 Seventy-second assembly district.** The following territory shall constitute the 72nd assembly district:

(1) ADAMS COUNTY. That part of the county of Adams consisting of: a) the towns of Adams, Big Flats, Colburn, Leola, Monroe, Preston, Quincy, Rome and Strong's Prairie; b) the village of Friendship; and c) the city of Adams.

(2) PORTAGE COUNTY. That part of the county of Portage consisting of the towns of Buena Vista, Grant, Linwood, Pine Grove and Plover.

(3) WOOD COUNTY. That part of the county of Wood consisting of: a) the towns of Grand Rapids and Saratoga; b) the villages of Biron and Port Edwards; and c) the city of Wisconsin Rapids.

**4.73 Seventy-third assembly district.** The following territory shall constitute the 73rd assembly district:

(1) BAYFIELD COUNTY. That part of the county of Bayfield consisting of the towns of Barnes, Hughes, Iron River, Orienta, Oulu and Port Wing.

(2) DOUGLAS COUNTY. The county of Douglas.

**4.74 Seventy-fourth assembly district.** The following territory shall constitute the 74th assembly district:

(1) WHOLE COUNTIES. The counties of Ashland and Iron.

(2) BAYFIELD COUNTY. That part of the county of Bayfield consisting of: a) the towns of Barksdale, Bayfield, Bayview, Bell, Cable, Clover, Delta, Drummond, Elean, Grand View, Kelly, Keystone, Lincoln, Mason, Namakagon, Pilsen, Russell, Tripp and Washburn; b) the villages of Cable and Mason; and c) the cities of Bayfield and Washburn.

(3) PRICE COUNTY. That part of the county of Price consisting of: a) the towns of Eisenstein, Elk, Emery, Fifield, Flambeau, Georgetown, Hackett, Harmony, Knox, Lake, Prentice, Spirit and Worcester; and b) the cities of Park Falls and Phillips.

**4.75 Seventy-fifth assembly district.** The following territory shall constitute the 75th assembly district:

(1) BARRON COUNTY. That part of the county of Barron consisting of: a) the towns of Almena, Arand, Barron, Bear Lake, Cedar Lake, Clinton, Crystal Lake, Cumberland, Dallas, Lakeland, Maple Grove, Maple Plain, Oak Grove, Prairie Farm, Prairie Lake, Rice Lake, Sioux Creek, Stanford, Stanley, Turtle Lake and Vance Creek; b) the villages of Almena, Cameron, Dallas, Haugen and Prairie Farm; c) that part of the village of Turtle Lake located in the county; and d) the cities of Barron, Cumberland and Rice Lake.

(2) WASHBURN COUNTY. The county of Washburn.

**4.76 Seventy-sixth assembly district.** The following territory in the county of Dane shall constitute the 76th assembly district: a) the town of Madison; and b) that part of the city of Madison comprising wards 36, 37, 38, 39, 40, 41, 42, 47, 48, 49, 53, 54, 59, 60, 64, 65 and 66.

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**4.77 Seventy-seventh assembly district.** The following territory in the county of Dane shall constitute the 77th assembly district: a) the village of Shorewood Hills; b) that part of the city of Madison comprising wards 31, 32, 34, 35, 43, 44, 45, 46, 50, 51, 52, 55, 56, 57, 58, 61, 62 and 63; and c) that part of the city of Middleton comprising ward 5.

**4.78 Seventy-eighth assembly district.** The following territory in the county of Dane shall constitute the 78th assembly district: a) the village of Maple Bluff; and b) that part of the city of Madison comprising wards 3, 6, 7, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 33.

**4.79 Seventy-ninth assembly district.** The following territory shall constitute the 79th assembly district:

(1) DANE COUNTY. That part of the county of Dane consisting of: a) the towns of Blue Mounds, Cross Plains, Dunn, Fitchburg, Montrose, Oregon, Perry, Prunrose, Springdale, Vermont and Verona; b) the villages of Blue Mounds, Mt. Horeb and Oregon; c) that part of the village of Belleville located in the county; d) that part of the village of Brooklyn located in the county; and e) the city of Verona.

(2) GREEN COUNTY. That part of the county of Green consisting of: a) the towns of Brooklyn, Exeter and New Glarus; b) the village of New Glarus; c) that part of the village of Belleville located in the county; and d) that part of the village of Brooklyn located in the county.

(3) ROCK COUNTY. That part of the county of Rock consisting of: a) the town of Union; and b) the city of Evansville.

**4.80 Eightieth assembly district.** The following territory shall constitute the 80th assembly district:

(1) COLUMBIA COUNTY. That part of the county of Columbia consisting of: a) the towns of Arlington, Caledonia, Columbus, Courtland, Dekorra, Fountain Prairie, Hampden, Leeds, Lodi, Lowville, Otsego, Pacific, Springvale and Wyocena; b) the villages of Arlington, Cambria, Doylestown, Fall River, Pardeeville, Poyente, Rio and Wyocena; and c) the cities of Columbus and Lodi.

(2) DANE COUNTY. That part of the county of Dane consisting of the town of York.

(3) DODGE COUNTY. That part of the county of Dodge consisting of the towns of Elba, Portland and Westford.

(4) RICHLAND COUNTY. That part of the county of Richland consisting of: a) the towns of Buena Vista and Ithaca; and b) the village of Lone Rock.

(5) SAUK COUNTY. That part of the county of Sauk consisting of: a) the towns of Bear Creek, Franklin, Greenfield, Honey Creek, Merrimac, Prairie du Sac, Spring Green, Sumpter and Troy; and b) the villages of Merrimac, Plain, Prairie du Sac, Sauk City and Spring Green.

**4.81 Eighty-first assembly district.** The following territory shall constitute the 81st assembly district:

(1) COLUMBIA COUNTY. That part of the county of Columbia consisting of the town of West Point.

(2) DANE COUNTY. That part of the county of Dane consisting of: a) the towns of Berry, Black Earth, Dane, Mazomanie, Middleton, Roxbury, Springfield, Vienna and Westport; b) the villages of Black Earth, Cross Plains, Dane, Mazomanie and Waunakee; c) that part of the city of Madison comprising wards 14, 15, 16, 17 and 18; and d) that part of the city of Middleton comprising wards 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

**4.82 Eighty-second assembly district.** The following territory in the county of Milwaukee shall constitute the 82nd assembly district: a) that part of the village of Greendale comprising wards 1, 2, 3, 4, 5, 6, 8 and 10; b) the village of Hales Corners; c) the city of

Franklin, and d) that part of the city of Oak Creek comprising wards 1, 3, 4, 5, 8, 13, 14, 15, 16 and 17.

**4.83 Eighty-third assembly district.** The following territory shall constitute the 83rd assembly district:

(1) RACINE COUNTY. That part of the county of Racine consisting of: a) the towns of Dover, Norway, Rochester and Waterford; and b) the villages of Rochester and Waterford.

(2) WALWORTH COUNTY. That part of the county of Walworth consisting of: a) the towns of East Troy and Troy; and b) the village of East Troy.

(3) WAUKESHA COUNTY. That part of the county of Waukesha consisting of: a) the town of Vernon; b) that part of the town of Mukwonago comprising ward 4; c) the village of Big Bend; and d) the city of Muskego.

**4.84 Eighty-fourth assembly district.** The following territory in the county of Waukesha shall constitute the 84th assembly district: a) that part of the town of Waukesha comprising ward 6; b) the city of New Berlin; and c) that part of the city of Waukesha comprising wards 4, 5, 6, 8, 15, 16, 17, 18, 20 and 21.

**4.85 Eighty-fifth assembly district.** The following territory in the county of Marathon shall constitute the 85th assembly district: a) the towns of Maine, Stettin and Wausau; b) that part of the town of Rib Mountain comprising ward 2; c) the villages of Brokaw and Rothschild; and d) the cities of Schofield and Wausau.

**4.86 Eighty-sixth assembly district.** The following territory shall constitute the 86th assembly district:

(1) MARATHON COUNTY. That part of the county of Marathon consisting of: a) the towns of Bergen, Bern, Bevent, Cassel, Cleveland, Day, Emmet, Franzen, Green Valley, Guenther, Halsey, Hamburg, Knowlton, Kronenwetter, Marathon, Mosinee, Reid, Rib Falls, Rietbrock, Ringle, Weston and Wien; b) that part of the town of Rib Mountain comprising wards 1 and 3 to 8; c) the villages of Athens, Edgar, Fenwood, Halsey, Marathon and Stratford; and d) the city of Mosinee.

(2) SHAWANO COUNTY. That part of the county of Shawano consisting of the town of Germania.

(3) WAUPACA COUNTY. That part of the county of Waupaca consisting of: a) the towns of Harrison and Wyoming; and b) the village of Big Falls.

**4.87 Eighty-seventh assembly district.** The following territory shall constitute the 87th assembly district:

(1) BARRON COUNTY. That part of the county of Barron consisting of: a) the towns of Chetek, Dove, Doyle and Sumner; and b) the city of Chetek.

(2) CHIPPEWA COUNTY. That part of the county of Chippewa consisting of the towns of Birch Creek and Sampson.

(3) PRICE COUNTY. That part of the county of Price consisting of: a) the towns of Catawba, Hill, Kennan and Ogema; and b) the villages of Catawba, Kennan and Prentice.

(4) RUSK COUNTY. That part of the county of Rusk consisting of: a) the towns of Atlanta, Big Bend, Big Falls, Cedar Rapids, Dewey, Flambeau, Grant, Grow, Hawkins, Hubbard, Lawrence, Murry, Richland, Rusk, South Fork, Strickland, Stubbs, Thornapple, True, Washington, Wilkinson and Wilson; b) the villages of Bruce, Courath, Glen Flora, Hawkins, Ingram, Tony and Weyerhaeuser; and c) the city of Ladysmith.

(5) SAWYER COUNTY. The county of Sawyer.

(6) TAYLOR COUNTY. That part of the county of Taylor consisting of: a) the towns of Browning, Chelsea, Goodrich, Greenwood, Hammel, Medford, Molitor, Rib Lake and Westboro; b) the village of Rib Lake; and c) the city of Medford.

~~4.88 Eighty-eighth assembly district. The following territory shall constitute the 88th assembly district:~~

~~(1) MARINETTE COUNTY. That part of the county of Marinette consisting of: a) the towns of Beaver, Grover, Lake, Peshtigo, Porterfield, Pound and Stephenson; b) the villages of Coleman, Crivitz and Pound; and c) the cities of Marinette and Peshtigo.~~

~~(2) OCONTO COUNTY. That part of the county of Oconto consisting of: a) the towns of Bagley, Gillett, How, Lena, Little River, Little Suamico, Maple Valley, Oconto, Penabaker, Spruce and Stiles; b) the villages of Lena and Suring; and c) the cities of Gillett and Oconto.~~

~~4.89 Eighty-ninth assembly district. The following territory in the county of Brown shall constitute the 89th assembly district: a) the towns of Hobart, Pittsfield and Shamico; b) the villages of Howard and Pulaski; and c) that part of the city of Green Bay comprising wards 7, 8, 9, 10, 11, 12, 21, 31, 32, 33, 34, 35, 43, 45 and 46.~~

~~4.90 Ninetieth assembly district. The following territory in the county of Brown shall constitute the 90th assembly district: a) the village of Ashwaubenon; b) that part of the city of De Pere comprising ward 9; and c) that part of the city of Green Bay comprising wards 23, 24, 25, 26, 27, 28, 29, 30, 36, 37, 38, 39, 40, 41, 42 and 44.~~

~~4.91 Ninety-first assembly district. The following territory shall constitute the 91st assembly district: the counties of Buffalo, Pepin and Trempealeau.~~

~~4.92 Ninety-second assembly district. The following territory shall constitute the 92nd assembly district:~~

~~(1) CLARE COUNTY. That part of the county of Clark consisting of the towns of Butler, Foster, Hendren, Mead and Mentor.~~

~~(2) EAU CLAIRE COUNTY. That part of the county of Eau Claire consisting of: a) the towns of Fairchild, Ludington and Wilson; and b) the village of Fairchild.~~

~~(3) JACKSON COUNTY. The county of Jackson.~~

~~(4) MONROE COUNTY. That part of the county of Monroe consisting of: a) the towns of Adrian, Angelo, Byron, Grant, Greenfield, Jefferson, Lafayette, La Grange, Leon, Lincoln, New Lyme, Oakdale, Portland, Scott, Tomah and Wells; b) the villages of Cashton, Melvina, Watrens and Wyeville; and c) the cities of Sparta and Tomah.~~

~~4.93 Ninety-third assembly district. The following territory shall constitute the 93rd assembly district:~~

~~(1) DUNN COUNTY. That part of the county of Dunn consisting of the town of Rock Creek.~~

~~(2) EAU CLAIRE COUNTY. That part of the county of Eau Claire consisting of: a) the towns of Bridge Creek, Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley and Washington; b) the village of Fall Creek; c) the cities of Altoona and Augusta; and d) that part of the city of Eau Claire comprising wards 2, 3, 4, 5, 13, 15, 17, 18, 19 and 20.~~

~~4.94 Ninety-fourth assembly district. The following territory shall constitute the 94th assembly district:~~

~~(1) LA CROSSE COUNTY. That part of the county of La Crosse consisting of: a) the towns of Bangor, Barre, Burns, Campbell, Farmington, Hamilton, Holland, Medary, Onalaska and Washington; b) the villages of Bangor, Holmen, Rockland and West Salem; c) the city of Onalaska; and d) that part of the city of La Crosse comprising wards 1, 2 and 8.~~

~~(2) MONROE COUNTY. That part of the county of Monroe consisting of the towns of Little Falls and Sparta.~~

**VETOED**

~~4.95 Ninety-fifth assembly district. The following territory in the county of La Crosse shall constitute the 95th assembly district: a) the towns of Greenfield and Shelby, and b) that part of the city of La Crosse comprising wards 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.~~

~~4.96 Ninety-sixth assembly district. The following territory shall constitute the 96th assembly district:~~

- ~~(1) CRAWFORD COUNTY. The county of Crawford.~~
- ~~(2) GRANT COUNTY. That part of the county of Grant consisting of: a) the towns of Boscobel, Marion, Millville, Patch Grove, Woodman and Wyalusing; b) the villages of Bagley, Patch Grove and Woodman; and c) the city of Boscobel.~~
- ~~(3) VERNON COUNTY. That part of the county of Vernon consisting of: a) the towns of Bergen, Christiana, Clinton, Coon, Forest, Franklin, Genoa, Greenwood, Hamburg, Harmony, Hillsboro, Jefferson, Jackson, Liberty, Seark, Sterling, Union, Viroqua, Webster, Wheatland and Whitestown; b) the villages of Chaseburg, Coon Valley, Genoa, La Farge, Ontario, Headsown and Stoddard; c) that part of the village of La Sore located in the county; and d) the cities of Hillsboro, Viroqua and Westby.~~

~~4.97 Ninety-seventh assembly district. The following territory shall constitute the 97th assembly district:~~

- ~~(1) MILWAUKEE COUNTY. That part of the county of Milwaukee consisting of that part of the city of Milwaukee comprising wards 296, 297, 298, 301 and 302.~~
- ~~(2) WAUKESHA COUNTY. That part of the county of Waukesha consisting of: a) that part of the town of Lisbon comprising wards 2 to 6; and b) the villages of Butler, Lannon, Menomonee Falls and Sussex.~~

~~4.98 Ninety-eighth assembly district. The following territory in the county of Milwaukee shall constitute the 98th assembly district: that part of the city of Wauwatosa comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23 and 24.~~

~~4.99 Ninety-ninth assembly district. The following territory shall constitute the 99th assembly district:~~

- ~~(1) MILWAUKEE COUNTY. That part of the county of Milwaukee consisting of that part of the city of Wauwatosa comprising wards 9 and 21.~~
- ~~(2) WAUKESHA COUNTY. That part of the county of Waukesha consisting of: a) that part of the town of Brookfield comprising wards 1, 2, 4, 8, 9 and 10; b) the village of Elm Grove; and c) the city of Brookfield.~~

~~SECTION 1j. 5.05 (1) (a) of the statutes is amended to read:~~

~~5.05 (1) (a) Employ under an executive secretary outside the classified service an executive secretary and employ legal counsel.~~

~~SECTION 1j. 5.15 (N) (d) of the statutes is created to read:~~

~~5.15 (1) (d). Every ward shall be wholly contained within a single county.~~

~~SECTION 1jh. 5.15 (4) (a) of the statutes is amended to read:~~

~~5.15 (4) (a) The division ordinance or resolution shall number all wards in the municipality in whole numbers in consecutive order, beginning with the number one, shall designate the polling places for each ward, and shall describe the boundaries of each ward consistent with the conventions set forth in s. 4.002 4.003.~~

~~SECTION 1jp. 8.15 (9) of the statutes is created to read:~~

~~8.15 (9) Upon filing of nomination papers by any candidate for representative in congress, state senator or representative to the assembly under this section or upon appointment or nomination of such a candidate by write-in vote, the board shall provide to the candidate a copy of the map or maps, received under s. 16.96 (3) (b), required to show the boundaries of the district which the candidate seeks to represent.~~

Vetoed  
in Part

**Vetoed  
in Part**

~~SECTION 1jt. 8.20 (10) of the statutes is created to read:~~

~~8.20 (10) Upon filing of nomination papers by any candidate for representative in congress, state senator or representative to the assembly under this section or upon appointment of such a candidate, the board shall provide to the candidate a copy of the map or maps, received under s. 16.26 (3) (b), required to show the boundaries of the district which the candidate seeks to represent.~~

SECTION 1ju. 11.03 (2) and (3) of the statutes are amended to read:

11.03 (2) This Except as otherwise expressly provided, this chapter does not apply to any candidate for national office acting exclusively in support of the candidate's own campaign, with respect to such activities only.

(3) This Except as otherwise expressly provided, this chapter does not apply to any individual or committee acting exclusively in support of or in opposition to a) candidates for national office; or b) other individuals and committees exclusively supporting or opposing candidates for national office.

SECTION 1jv. 11.09 (1) of the statutes is repealed.

SECTION 1jw. 11.09 (2) to (4) of the statutes are amended to read:

11.09 (2) Every The board shall transmit a certified duplicate copy of the financial report of a each committee or individual making disbursements or incurring obligations in support of or in opposition to a candidate under sub. (1) for state senator, representative to the assembly, court of appeals judge or circuit judge and filing an oath under s. 11.06 (7) shall also be filed by the board in accordance with sub. (1) within 72 hours after receipt to the county clerk or board of election commissioners of each county any part of which is contained in the district or circuit of the candidate.

(3) Each registrant whose filing officer is the board, who or which makes disbursements in connection with elections for offices which serve or referenda which affect only one county or portion thereof, except a candidate, personal campaign committee, political party committee or committee covered under sub. (1) or (2), shall file a duplicate original of each financial report filed with the board with the county clerk or board of election commissioners of the county in which the elections in which the registrant participates are held. Such reports shall be filed no later than the dates specified under s. 11.20 (3) and (4) for the filing of each report with the board.

(4) In every case where a duplicate report is filed by the board or by any person under subs. (1) to (2) and (3), the board shall transmit a certified duplicate copy of the registration statement to each county clerk or board of election commissioners with whom a duplicate report is filed.

SECTION 1jz. 11.21 (9) of the statutes is created to read:

11.21 (9) Place a copy of any separate schedule under s. 11.06 (1) (j) received with the financial report of an individual or committee filing an oath under s. 11.06 (7) in the file of each candidate to whom it relates.

SECTION 1m. 11.215 (4) of the statutes is amended to read:

11.215 (4) Make the reports and statements filed with him or her available for public inspection and copying, commencing as soon as practicable but not later than the end of the day during which they are received, and, ~~notwithstanding s. 14.38 (9),~~ permit copying of any such report or statement by hand or by duplicating machine at cost, as requested by any person, provided that any information copied from such reports and statements may not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

SECTION 1s. 11.22 (10) of the statutes is created to read:

11.22 (10) Place a copy of any separate schedule under s. 11.06 (1) (j) received with the financial report of an individual or committee filing an oath under s. 11.06 (7) in the file of each candidate to whom it relates.

SECTION 1t. 11.25 (2) (b) of the statutes is amended to read:

11.25 (2) (b) Notwithstanding ~~the definition of "political purposes" in s. 11.01 (16) par. (a),~~ a registrant may accept contributions and make disbursements from a campaign depository for the purposes of payment of legal fees and other expenses as a result of a recount at any election; for the purpose of making expenditures in connection with a campaign for national office; for payment of civil penalties incurred by the registrant under this chapter; or for payment of the expenses of nonpartisan campaigns to increase voter registration or participation. If such expenses are paid from contributions made to the campaign depository, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s. 11.06 (1). If contributions from the campaign depository are used for such expenses, they are subject to s. 11.26.

SECTION 1w. 11.33 of the statutes is amended to read:

**11.33 Use of government materials by candidates.** No person elected to state or local office may use public funds for the cost of materials or distribution for 50 or more pieces of substantially identical material after the first day for circulation of nomination papers as a candidate for national, state or local office, until after the date of the election or after the date of the primary election if such person appears as a candidate on a primary election ballot and is not nominated. This section does not apply to answers to communications of constituents.

SECTION 2. 13.09 (4) of the statutes, as affected by 1983 Wisconsin Act 3, is amended to read:

13.09 (4) The joint committee on finance shall receive reports submitted under ss. 13.095, 13.105 (intro.), 13.106 (1) (intro.) and (2), 13.94 (1) (a) and (b), ~~14.27 (3), 16.004 (2) and (7) (b), 16.04 (1) (d), 16.40 (14), and (15) and (16), 16.50 (3), 16.513 (2) to (4), 16.531 (3), 16.54 (5) and (8), 16.544 (1) and (3), 16.82 (4) (c), 16.97 (3), 20.002 (10), 20.235 (1) (g), 20.505 (5) (a), 20.920 (2) (am), 23.31 (1), 35.03 (6), 36.25 (16) (c), 38.06 (3) (c), 39.16 (2) (im), 39.377 (3), 39.28 (3) (b), 44.20 (4) (b), 46.03 (18) (a), (24) and (26) (intro.) and (31), 49.45 (2) (a) 8 and 16 and (b) 2, 51.42 (10) (f), 51.437 (14) (f), 56.018, 115.781, 230.08 (4) (c), 232.15 (1) and (2), and 234.25 (1) and 560.11 (2) (b) 2 and (4).~~

SECTION 2m. 13.093 (2) (c) of the statutes is created to read:

13.093 (2) (c) A bill containing penalty provisions is exempt from the fiscal estimate requirement under par. (a) if the bill contains no other provisions requiring a fiscal estimate under par. (a).

SECTION 5m. 13.10 (4) of the statutes is amended to read:

13.10 (4) All actions under this section shall be determined by a roll call vote. A copy of the minutes shall be signed by the secretary and approved by the presiding officers and be transmitted to the department of administration, the state auditor and the legislative reference bureau. All requests for action by the committee under this section may be approved in whole or in part by the governor and the part approved shall be so ordered, and the part objected to shall be returned to the committee for reconsideration. If the governor neither approves nor objects to a request within 15 working days after the committee takes action on the request, the request is approved in whole. The chairmen of the committee shall call a meeting or conduct a mail ballot within ~~40~~ 15 working days of ~~the~~ after receipt of the governor's objection and if, after reconsideration, two-thirds of the members of the committee by a roll call vote or recorded ballot sustain the original action it shall be so ordered by signature of the chairmen of the committee.

SECTION 5p. 13.101 (title) of the statutes is amended to read:

**13.101 (title) Joint committee on finance; appropriation and position changes.**

SECTION 5r. 13.101 (2) of the statutes is created to read:

13.101 (2) A department, board, commission or agency may request the committee to create or abolish a full-time equivalent position as defined in s. 230.03 (11) or portion thereof in the department, board, commission or agency. Upon receiving such a request, the committee may change the authorized level of full-time equivalent positions in the department, board, commission or agency. The committee may approve a different authorized level of full-time equivalent positions than is requested by the department, board, commission or agency.

SECTION 6m. 13.101 (10) of the statutes is created to read:

Partial  
Veto  
Overruled

13.101 (10) *The committee may approve a transfer of moneys allocated by the federal government to this state as a part of a block grant for use as a part of another such grant made for different purposes. In this subsection, "block grant" has the meaning given under s. 16.54 (2) (a).*

SECTION 7. 13.101 (11) of the statutes is repealed.

SECTION 8. 13.121 (title) of the statutes is amended to read:

**13.121 (title) Legislators' salaries and benefits.**

SECTION 9. 13.121 (4) of the statutes is amended to read:

13.121 (4) (title) **INSURANCE.** For the purpose of premium determinations under s. 40.05 (4) and (5) each member of the legislature shall accrue sick leave at ~~the a~~ rate equivalent to ~~the a~~ percentage of time worked ~~established~~ recommended for such positions by the secretary of employment relations and approved by the joint committee on employment relations in the same manner as compensation for such positions is determined under s. 20.923. ~~Such rate~~ This percentage of time worked shall be applied to the sick leave accrual rate established under s. 230.35 (2). The approved percentage shall be incorporated into the compensation plan under s. 230.12 (1).

SECTION 10. 13.123 (1) (a) 1 of the statutes is amended to read:

13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance ~~of not exceeding \$30~~ for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance shall be established under s. 20.916 (8). Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized per diem allowance the member wishes to receive ~~and such. Such~~ affidavit, when filed, shall remain in effect for the biennial session, except that a new affidavit may be filed for any month following an adjustment in the amount of the authorized allowance under s. 20.916 (8).

SECTION 11. 13.48 (3) of the statutes is amended to read:

13.48 (3) **STATE BUILDING TRUST FUND.** In the interest of the continuity of the program, ~~there is the moneys appropriated from the general fund to the state building trust fund under s. 20.867 (2) (f) shall be retained~~ as a nonlapsing building depreciation reserve, ~~on July 1, 1965, and annually thereafter, a sum equal to 1.5% of the value of all state buildings, structures, utility plants and equipment therein excepting those under the jurisdiction of the department of transportation, as appraised by the department of administration in each even numbered year. Such appraisal shall be an estimate of the cost of reproduction of such buildings, structures and facilities, and shall be certified by the department of administration not later than November 20 of each even numbered year to the governor or governor elect who shall include the sums so to be transferred in the budget. Such moneys shall be deposited into the state building trust fund. At such times~~

as the commission directs, or in emergency situations under s. 16.855 (16), the governor shall authorize releases from this fund to become available for projects and shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The commission may authorize any project amounting to \$250,000 or less in accordance with priorities to be established by the commission and may adjust the priorities by deleting, substituting or adding new projects as needed to reflect changing program needs and unforeseen circumstances. The commission may enter into contracts for the construction of buildings for any state agency and shall be responsible for accounting for all funds released to projects. The commission may designate the department of administration or the agency for which the project is constructed to act as its representative in such accounting.

SECTION 12. 13.48 (10) of the statutes is amended to read:

13.48 (10) APPROVAL BY COMMISSION. No state board, agency, officer, department, commission or body corporate may enter into a contract for the construction, reconstruction, remodeling of or addition to any building, structure, or facility, which involves a cost in excess of \$30,000, without completion of final plans and arrangement for supervision of construction and prior approval by the commission. The commission may not approve a contract for the construction, reconstruction, renovation or remodeling of or an addition to a state building as defined in s. 44.51 (2) unless it determines that s. 44.57 has been complied with or does not apply. This section applies to the department of transportation only in respect to buildings, structures and facilities to be used for administrative, ~~laboratory, residential, storage and public exhibition~~ or operating functions. This subsection does not apply to projects approved by the governor in response to emergency situations under s. 16.855 (16) or to allocations from the appropriation made under s. 20.867 (2) for special category projects when the building commission has released funds under sub. (3) and has also approved a plan for the expenditure of those funds. "Special category projects" for the purpose of this subsection include but are not limited to projects such as special maintenance, energy conservation, handicapped access and advance property acquisition designated by the building commission.

SECTION 12m. 13.48 (14) (a) and (b) of the statutes are amended to read:

13.48 (14) (a) ~~The Subject to par. (d), the commission shall have the authority to sell or lease all or any part of buildings and sites including farm lands where such authority is not otherwise provided to an agency by law, and may transfer lands under its jurisdiction among state agencies.~~

(b) ~~In selling or leasing~~ Subject to par. (d), the commission shall sell or lease on the basis of either ~~1-~~ public bids, with the commission reserving the right to reject any or all bids in the best interest of the state, or ~~2-~~ negotiated prices. Land and buildings mentioned in this subsection shall be subject to general property taxes levied by those taxing bodies within whose area they lie if used for commercial purposes, and shall upon resolution of the commission be subject to special assessments for public improvements in the same manner and to the same extent as privately owned land.

SECTION 12n. 13.48 (14) (d) of the statutes is created to read:

13.48 (14) (d) 1. In this paragraph, "surplus land" means land under the jurisdiction of the commission and allocated for use by a state agency, but unused and not needed for the agency's operations or included in the agency's plan for construction or development.

2. Biennially, beginning on January 1, 1984, each state agency having surplus land shall submit to the commission and the joint committee on finance an inventory containing the description, location and fair market value of each parcel of surplus land.

3. Except as provided in subd. 4, the commission shall annually, beginning January 1, 1984, submit to the joint committee on finance an inventory of surplus land containing the following information for each parcel:

a. The fair market value, description and location.

b. Whether the parcel will be sold or transferred for use by another state agency.

c. Whether transfer of the parcel for use by another state agency is critical or desirable, if the commission intends to transfer the parcel.

4. If the commission proposes to sell or transfer a parcel of surplus land having a fair market value of at least \$20,000, the commission shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer within 14 working days after the date of the commission's notification, the parcel may be sold or transferred by the commission. If, within 14 working days after the date of the commission's notification, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer, the parcel may be sold or transferred under this subdivision only upon approval of the committee.

SECTION 12p. 13.489 of the statutes is created to read:

**13.489 Transportation projects commission.** (1) CREATION. There is created a transportation projects commission consisting of the governor, 2 citizen members appointed by the governor to serve at his or her pleasure, and 3 senators and 3 representatives to the assembly appointed as are the members of standing committees in their respective houses. The 2 major political parties shall be represented in the membership from each house. The secretary of transportation shall serve as a nonvoting member. The governor shall serve as chairperson. Citizen members of the commission shall be reimbursed for their actual and necessary expenses incurred as members of the commission from the appropriation under s. 20.395 (5) (aq).

(2) DEPARTMENT TO REPORT PROPOSED PROJECTS. The department of transportation shall report to the commission not later than September 1 of each even-numbered year and at such other times as required under s. 84.013 (6) concerning its recommendations for adjustments in the major highway projects program under s. 84.013.

**Vetoed  
in Part** (3) ASSISTANCE TO COMMISSION. The department of transportation shall assist the commission in the performance of its duties. The department of transportation shall, when requested by the commission, make or cause to be made such studies, ~~preliminary plans and specifications~~ and cost estimates with respect to any proposed project as are necessary to permit the commission to consider the project. The costs of such studies shall be charged to the appropriate program appropriation under s. 20.395.

(4) REVIEW OF PROJECTS. All reports submitted as provided by sub. (2) shall be reviewed by the commission. The commission shall report its recommendations concerning major highway projects to the governor or governor-elect, the legislature and the joint committee on finance no later than December 1 of each even-numbered year or within 30 days following submission of a report under s. 84.013 (6). The commission may recommend approval, approval with modifications, or disapproval of any project.

(5) SUBMITTAL OF PROJECTS TO THE COMMISSION. The department of transportation may not construct any portion of a major highway project, as defined in s. 84.013 (1) (a), without first submitting the project to the commission for its recommendations and report and without specific authorization under s. 84.013 (3), except as provided in s. 84.013 (6).

SECTION 12q. 13.53 (5) of the statutes is amended to read:

13.53 (5) INTERFERENCE; SPECIAL DUTIES. No member of the joint legislative audit committee, the joint committee on legislative organization or other member of the legislature may interfere in any way with the state auditor in the conduct of audit examinations. The state auditor shall carry out the auditor's professional responsibilities in accordance with accepted professional auditing standards and shall conduct examinations within the framework of the ethics of the auditing profession. This subsection does not preclude an individual legislator, or a standing committee or the joint legislative audit committee from requesting the joint legislative audit committee or the joint committee on legislative organization to direct the state auditor to undertake specific audits. All such requests shall be reviewed by the joint committee on legislative organization to which they are directed before such committee directs the state auditor to conduct such audits. The joint committee on legislative organization may consult with the joint legislative audit committee and the legislative audit bureau prior to giving its directions to the state auditor. Nothing in this subsection precludes the joint legislative audit committee or the joint committee on legislative organization from instructing the state auditor to undertake examinations of specific activities when such the committee deems it to be necessary.

SECTION 13. 13.56 (4) of the statutes is amended to read:

13.56 (4) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons ~~on~~ of the joint committee for review of administrative rules or their designated agents shall accept service made under ss. 227.05 (5) and 806.04 (11). If the committee determines that the legislature should be represented in the proceeding, it shall request the joint committee on legislative organization to designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the ~~appropriation~~ appropriations under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

SECTION 14m. 13.62 (2) of the statutes is amended to read:

13.62 (2) "Agency" means any board, commission, committee, department or officer in the state government, or any authority created in ch. 231, 233 or 234.

SECTION 14p. 13.83 (6) of the statutes is repealed.

SECTION 15. 13.90 (2) of the statutes is amended to read:

13.90 (2) The cochairpersons of the joint committee on legislative organization or their designated agent shall accept service made under s. 806.04 (11). If the committee, the senate organization committee or the assembly organization committee, determines that the legislature should be represented in the proceeding, that committee shall designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the ~~appropriation~~ appropriations under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

~~SECTION 15m. 13.92 (1) (a) 6 of the statutes is created to read:~~

~~13.92 (1) (a) 6. Beginning with the date of the decennial federal census of population and ending on December 1 of the 2nd year commencing after such census, prepare and publish such street and ward maps of the municipalities in this state as are required to show the boundary lines of congressional and legislative districts based on that census. Following the final approval of the redistricting plans, the bureau shall transfer the maps used to show the district boundaries contained in such plans to the department of administration under s. 16.96 (3) (b).~~

**Vetoed  
in Part**

SECTION 16. 13.92 (1) (c) (title) and 1 of the statutes are amended to read:

13.92 (1) (e) (title) *Legislative documents.*

1. Providing printing and duplicating services to the legislature and its service agencies.

SECTION 17. 13.92 (1) (e) 5 and 6 of the statutes are created to read:

13.92 (1) (e) 5. Microfilming of reference materials and legislative drafting records under par. (a) 1 and 3.

6. Acquisition of materials and information for legislative service agency libraries and legislative document production.

SECTION 17p. 13.94 (1) (e) of the statutes is amended to read:

13.94 (1) (e) Make such special examinations of the accounts and financial transactions of any department, agency or officer as the governor or, legislature, joint legislative audit committee or joint committee on legislative organization directs. If the governor directs that such an examination be conducted, the order from the governor shall provide for reimbursement of the legislative audit bureau's costs in making the examination from the appropriation under s. 20.525 (1) (a). No order from the governor for an examination under this paragraph may take precedence over an examination already scheduled by the legislative audit bureau without approval of the joint legislative audit committee.

SECTION 17r. 13.94 (4) (a) of the statutes is amended to read:

13.94 (4) (a) In this section, "department" means every:

1. Every state department, board, examining board, commission or, independent agency; the Wisconsin health facilities authority, the Wisconsin housing finance authority and the Wisconsin solid waste recycling authority, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature; every provider of medical assistance under ch. 49; vocational, technical and adult education district boards; every board created under s. 51.42 or 51.437; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

SECTION 17s. 13.94 (4) (a) 2 of the statutes is created to read:

13.94 (4) (a) 2. Any foundation, nonstock or nonprofit corporation created by an entity specified under subd. 1.

SECTION 17t. 13.94 (4) (b) of the statutes is amended to read:

13.94 (4) (b) In performing audits of providers of medical assistance under ch. 49 and, corporations, institutions, associations, or other organizations, and their subgrantees or subcontractors, the legislative audit bureau shall audit only the records and operations of such providers and organizations which pertain to the receipt, disbursement or other handling of appropriations made by state law.

SECTION 19. 13.95 (1) (f) of the statutes is repealed.

SECTION 20. 14.011 (3) of the statutes is repealed.

SECTION 21. 14.011 (4) of the statutes is created to read:

14.011 (4) GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE. The governor's employment and training office shall have the program responsibilities specified for the office under s. 14.28.

SECTION 22. 14.015 (title) of the statutes is amended to read:

**14.015 (title) Same; attached boards, commissions and offices.**

SECTION 23. 14.015 (2) of the statutes is repealed.

SECTION 24. 14.015 (3) of the statutes is created to read:

14.015 (3) GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE. There is created the governor's employment and training office which is attached to the office of the governor under s. 15.03.

SECTION 25. 14.017 (5) of the statutes is repealed.

SECTION 26. 14.24 (2) (c) of the statutes is amended to read:

14.24 (2) (c) In ~~each~~ any report submitted by the council under s. 15.09 (7), review state activities in the area of alcohol and other drug abuse prevention and control and make recommendations for further legislation.

SECTION 27. 14.27 of the statutes is repealed.

SECTION 28. 14.28 of the statutes is renumbered 14.28 (1) (intro.) and amended to read:

14.28 (1) (intro.) ~~The governor's employment and training office, created by executive order number 14, dated May 1, 1979, is attached to the department of industry, labor and human relations under s. 15.03 and may provide grants to local community organizations for standardized assessment and programs for instruction in basic skills under the youth initiatives program. shall establish a statewide coordinated employment and training delivery system to meet the employment, training and educational needs of persons in this state who are generally unemployable because of lack of skills or education. To accomplish this purpose, the office shall:~~

SECTION 29. 14.28 (1) (a) to (g), (2) and (3) of the statutes are created to read:

14.28 (1) (a) Develop and implement a comprehensive employment, education and training system in the state.

(b) Administer grant funds, including grants to local community organizations for standardized assessment and programs for instruction in basic skills under the youth initiatives program.

(c) Facilitate coordination among state and local educational agencies, employment and training agencies and other educational, employment and training service deliverers.

(d) Coordinate and integrate employment and training services, including economic development and job-creation activities.

(e) Provide technical and management assistance to educational, employment and training service providers in this state.

(f) Have access to the department of health and social services computer reporting network and to any labor market information or other information relating to education, employment or training possessed by the state or any state agency.

(g) Perform other duties necessary to carry out the purposes of the office and federal employment and training legislation.

(2) (a) All employes of the governor's employment and training office shall be in the classified service, except as provided in par. (b).

(b) 1. The executive director shall be in the unclassified service.

2. The executive director may appoint a deputy director and an executive assistant, who shall be in the unclassified service.

(3) (a) In this subsection:

1. "Community-based organization" means a private nonprofit organization which is representative of a community or a significant segment of a community and which provides educational or job training services or both, an organization serving nonreservation Indians or a tribal government.

2. "Economically disadvantaged individual" means an individual to whom at least one of the following applies:

- a. The individual receives, or is a member of a family which receives, cash welfare payments under a federal, state or local welfare program.
  - b. The individual has, or is a member of a family which has, received a total family income for the 6-month period prior to application for the program involved, excluding unemployment compensation, child support payments and welfare payments, which in relation to family size did not exceed the higher of the poverty level determined in accordance with criteria established by the director of the federal office of management and budget or 70% of the lower living standard income level.
  - c. The individual receives food stamps pursuant to the food stamp act of 1977.
  - d. The individual is a foster child on behalf of whom state or local government payments are made.
  - e. In cases permitted by regulations of the U.S. secretary of labor, the individual is an adult handicapped individual whose own income meets the requirements of subd. 2. b, but who is a member of a family whose income does not meet those requirements.
3. "Eligible participant" means an individual between the ages of 14 and 21 who is either of the following:
- a. At least one year behind his or her high school entering class in academic credit.
  - b. Excused from compulsory school attendance under s. 118.15 (1) (c).
4. "Handicapped individual" means an individual who has a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment.

(b) The governor's employment and training office shall coordinate services provided by the department of public instruction, board of vocational, technical and adult education and community-based organizations to provide programs to help eligible participants, at least 75% of whom shall be economically disadvantaged, obtain high school diplomas or equivalent educational credentials.

SECTION 29m. 14.281 of the statutes is created to read:

**14.281 Review of private industry council job training plan.** (1) To ensure that a job training plan proposed by a private industry council designated in this state pursuant to the federal job training partnership act, P.L. 97-300, coordinates with and considers programs and services provided or proposed by other bodies with a direct interest in employment and training and human resources utilization, each private industry council shall make its proposed job training plan available to the public and after reasonable notice hold at least one public hearing regarding the plan before submitting it to the governor and the appropriate standing committees of the legislature under sub. (2). Such a public hearing shall be held sufficiently in advance of the date the council must submit the plan to permit the council to address concerns raised at the hearing. The public hearing shall be held at a reasonable time in a place accessible to the public, including handicapped persons.

(2) After the public hearing under sub. (1), the private industry council shall submit its proposed job training plan to the governor and to the standing committees dealing with education, economic development and employment and any other appropriate standing committee in each house of the legislature, according to procedures established by the governor's employment and training office. The private industry council shall include all of the following with the proposed plan:

- (a) A copy of any written testimony presented to the council.
- (b) A summary of any oral testimony presented to the council.

(c) A discussion of testimony presented in opposition to the council's proposed job training plan, including whether the council has addressed or will address the opposing parties' concerns and a justification of any decision by the council not to address those concerns.

SECTION 30. 14.38 (9) of the statutes is amended to read:

14.38 (9) FURNISH CERTIFIED COPIES. Make a copy of any law, resolution, deed, bond, record, document or paper deposited or kept in his or her office, upon request therefor, attach thereto his or her certificate, with the greater or lesser seal affixed, and collect therefor 50 cents per page and \$2 for such certificate; if ~~such copies are a copy is~~ not to be certified then collect a reasonable fee to ~~pay for continued operation of reproduction equipment cover the actual and necessary cost of reproduction and actual and necessary cost of transcription required to produce the copy, if any;~~ also to record any document authorized or required by law to be recorded in his or her office, and to charge therefor a fee of 25 cents per folio. The fee for certified copies of appointments, certificates of incorporations or amendments, licenses of foreign corporations, or similar certificates, and for certificates as to results of search of the records and files of his or her office, when a printed form is used, shall be \$3, but when a specially prepared form is required the fee shall be \$4. Telegraphic reports as to results of record searches shall be \$2 plus the cost of the telegram.

SECTION 31. 14.58 (1) (intro.) and (4) of the statutes are amended to read:

14.58 (1) HAVE CUSTODY OF MONEYS. (intro.) Receive and have charge of all moneys paid into the treasury and any other moneys received by officers and employes of state agencies, and pay out the moneys as directed by law, except as provided in ~~s. ss. 20.370 (9) (ms), 20.907 (5) (b), 20.920 and 20.929.~~ Checks and drafts on depositories in which moneys may be deposited shall be signed in one of the following methods:

(4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. Pay out of the treasury, on demand, upon the warrants of the department of administration ~~and not otherwise, except as provided in s. 20.929,~~ such sums only as are authorized by law to be so paid, if there are appropriate funds therein to pay the same, except when in the judgment of the state treasurer balances in state public depository accounts are temporarily in excess of that required, the treasurer, with the concurrence of the secretary of administration, may authorize the preparation of a warrant in excess of the funds contained in the investment fund for the purpose of investment only, and, when any sum is required to be paid out of a particular fund, pay it out of such fund only; and upon each such warrant, when payment is made in currency, take the receipt indorsed on or annexed thereto, of the payee therein named or an authorized agent or assignee. The state treasurer shall accept telephone advice believed by the treasurer to be genuine from any public depository, as defined in s. 34.01 (2), stating that a specified amount of money has been deposited with such public depository for the credit of the state treasurer, and shall act upon such telephone advice as though it had been in writing.

SECTION 32. 15.01 (6) of the statutes is amended to read:

15.01 (6) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the council on criminal justice has the powers and duties specified in s. 16.969.

SECTION 33. 15.03 of the statutes is amended to read:

**15.03 Attachment for limited purposes.** Any division, office, commission, council or board attached under this section to a department or independent agency or a specified division thereof shall be a distinct unit of that department, independent agency or specified division. Any division, office, commission, council or board so attached shall exercise its powers, duties and functions prescribed by law, including rule-making, licensing and regulation, and operational planning within the area of program responsibility of

the division, office, commission, council or board, independently of the head of the department or independent agency, but budgeting, program coordination and related management functions shall be performed under the direction and supervision of the head of the department or independent agency.

SECTION 33m. 15.04 (1) (m) of the statutes is amended to read:

15.04 (1) (m) *Notice on forms.* See that each form used by the agency to seek information from municipalities, counties or the public contains on the first page of the form, or in the instructions for completing the form, a conspicuous notice of the authorization for the form ~~and of any penalties for failure to respond and of~~, whether or not completing the form is voluntary and, if it is not voluntary, the penalty for failure to respond. This paragraph does not apply to state tax forms.

SECTION 34. 15.06 (7) of the statutes is amended to read:

15.06 (7) (title) REPORTS. ~~In August of each year, every~~ Every commission attached to a department shall submit, to the head of the department, upon request of that person not more often than annually, a report on the operation of the commission ~~during the fiscal year concluded on the preceding June 30.~~

SECTION 34m. 15.07 (1) (b) 12 of the statutes is created to read:

15.07 (1) (b) 12. Prison industries board.

SECTION 35. 15.07 (2) (f) of the statutes is created to read:

15.07 (2) (f) The state superintendent of public instruction or his or her designated representative shall serve as chairman of the school district boundary appeal board.

SECTION 36. 15.07 (5) (L) of the statutes is created to read:

15.07 (5) (L) Members of the school district boundary appeal board, \$25 per day.

SECTION 37. 15.07 (6) of the statutes is amended to read:

15.07 (6) (title) REPORTS. ~~In August of each year, every~~ Every board created in or attached to a department or independent agency shall submit, to the head of the department or independent agency, upon request of that person not more often than annually, a report on the operation of the board ~~during the fiscal year concluded on the preceding June 30.~~

SECTION 38. 15.09 (7) of the statutes is amended to read:

15.09 (7) (title) REPORTS. ~~In August of each year every~~ Every council created in a department or independent agency shall submit, to the head of the department or independent agency, upon request of that person not more often than annually, a report on the operation of the council ~~during the fiscal year concluded on the preceding June 30.~~

SECTION 39. 15.101 (1m) of the statutes is repealed.

SECTION 40. 15.101 (9) of the statutes is amended to read:

15.101 (9) (title) DIVISION OF HEARINGS AND APPEALS. The division of ~~nursing home~~ hearings and appeals shall have the program responsibilities specified for the division under s. ss. 50.04 (4) (e) and (5) (e) and 227.012.

SECTION 41. 15.101 (15) of the statutes is created to read:

15.101 (15) COUNCIL ON CRIMINAL JUSTICE. The council on criminal justice shall have the program responsibilities specified for the council under s. 16.969.

SECTION 41m. 15.101 (16) of the statutes is created to read:

15.101 (16) HOSPITAL RATE-SETTING COMMISSION. The hospital rate-setting commission has the program responsibilities specified under ch. 54.

SECTION 41s. 15.101 (17) of the statutes is created to read:

~~15.101 (1)(X)~~ CHILD ABUSE AND NEGLECT PREVENTION BOARD. The child abuse and neglect prevention board shall have the program responsibilities specified for the board under s. 48.982. **Vetoed in Part**

SECTION 42. 15.103 (1) of the statutes is amended to read:

15.103 (1) (title) DIVISION OF HEARINGS AND APPEALS. There is created a division of ~~nursing home~~ hearings and appeals which is attached to the department of administration under s. 15.03. The administrator of the division shall be appointed by the governor to serve for a term of 4 years. ~~The administrator shall be a public official for purposes of subch. III of ch. 19~~ secretary of administration in the classified service.

SECTION 43. 15.103 (2) of the statutes is repealed.

SECTION 43L. 15.105 (11) (b) 7 of the statutes is amended to read:

15.105 (11) (b) 7. One member who is the chairperson of the radioactive waste technical council created under s. 15.107 (8). ~~This member is a nonvoting member.~~

SECTION 43m. 15.105 (15) of the statutes is created to read:

15.105 (15) HOSPITAL RATE-SETTING COMMISSION. There is created a hospital rate-setting commission, which is attached to the department of administration under s. 15.03. No member of the commission may have a financial interest in a hospital, as defined in s. 50.33 (1). Any member who voluntarily assumes a financial interest in a hospital shall vacate the office. Any member who involuntarily assumes a financial interest in a hospital shall divest himself or herself of the interest within a reasonable time or shall vacate the office.

SECTION 43s. ~~15.105 (16)~~ of the statutes is created to read:

~~15.105 (16)~~ CHILD ABUSE AND NEGLECT PREVENTION BOARD. There is created a child abuse and neglect prevention board which is attached to the department of administration under s. 15.03. The board shall consist of 14 members as follows: **Vetoed in Part**

- ~~(a) The governor or his or her designee.~~
- ~~(b) The attorney general or his or her designee.~~
- ~~(c) The secretary of health and social services or his or her designee.~~
- ~~(d) The state superintendent of public instruction or his or her designee.~~
- ~~(e) One representative to the assembly appointed by the speaker of the assembly.~~
- ~~(f) One senator appointed by the president of the senate.~~
- ~~(g) Eight public members appointed by the governor for staggered 3-year terms. Six of the public members shall be appointed on the basis of expertise, experience and interest in the prevention of child abuse and neglect or expertise and experience in intervention in cases of child abuse and neglect. One public member shall be an adult who was a victim of abuse or neglect as a child. One public member shall be a parent who formerly abused or neglected one or more of his or her children and who has received treatment or advice from an organization that provides child abuse and neglect prevention and intervention services.~~

SECTION 44am. 15.107 (1) of the statutes is created to read:

15.107 (1) COUNCIL ON CRIMINAL JUSTICE. There is created a council on criminal justice which is attached to the department of administration under s. 15.03. The council shall consist of not more than 20 members who have a recognized interest in and demonstrated knowledge of criminal justice matters. Those members shall be appointed by and serve at the pleasure of the governor. The governor shall designate the chairperson of the council.

SECTION 44m. 15.107 (1m) of the statutes is created to read:

15.107 (1m) HOSPITAL RATE-SETTING COUNCIL. There is created a hospital rate-setting council, which is attached to the department of administration under s. 15.03. The council shall consist of 11 members appointed for staggered 4-year terms, who shall represent a balance of economic, provider, scientific, government and consumer viewpoints. No more than 3 members may be state employees; 7 members shall be appointed from the following groups of nominations:

(a) Four members nominated by the Wisconsin hospital association, one of whom shall be a registered nurse.

(b) One member nominated by the state medical society of Wisconsin. This member shall be a physician.

(c) One member nominated by the largest service insurance corporations licensed under ch. 613. Determination of size under this paragraph is based on premium volume, as reported in the most recent Wisconsin insurance commissioner's report on business.

(d) One member nominated by the Wisconsin division of the health insurance association of America.

SECTION 45. 15.107 (2) of the statutes is amended to read:

15.107 (2) COUNCIL ON SMALL AND MINORITY BUSINESS OPPORTUNITIES. There is created in the department of administration a council on small and minority business opportunities consisting of 11 members, appointed by the secretary of administration for 3-year terms, with representation as follows: at least 2 shall be owners or employees of small businesses at least 50% owned by one or more members of a racial minority group; at least one shall be an owner or employee of a small business at least 50% owned by one or more handicapped persons; at least one shall be an owner or employee of a small business operated on a nonprofit basis for the rehabilitation of disabled persons; at least one shall be a representative of the department of development; and at least one shall be a consumer member. No member may serve for more than 2 consecutive full terms. The secretary of administration, or a department employee who is the secretary's designee, shall serve as the council's nonvoting secretary.

SECTION 46. 15.107 (6) of the statutes is amended to read:

15.107 (6) COUNCIL ON DATA PROCESSING. There is created in the department of administration a council on data processing. The council shall consist of the heads of those agencies having management responsibility for data processing centers with major multi-agency service missions, as determined by the secretary of administration, a person designated by the joint committee on legislative organization, and the heads of 3 additional agencies appointed by the secretary of administration for 2-year terms.

SECTION 47. 15.107 (10) of the statutes is created to read:

15.107 (10) WOMEN'S COUNCIL. (a) *Creation*. There is created a women's council which is attached to the department of administration under s. 15.03. The council shall consist of 15 members. Except as provided in par. (c), all members shall be appointed for staggered 2-year terms.

(b) *Membership*. The council consists of the following members:

1. The governor, or his or her designee.
2. Six public members appointed by the governor, one of whom the governor shall designate as chairperson.
3. Two public members appointed by the president of the senate.
4. Two public members appointed by the speaker of the assembly.
5. Two members of the senate, appointed in the same manner as members of standing committees are appointed.

6. Two members of the assembly, appointed in the same manner as members of standing committees are appointed.

(c) *Assembly member's and governor's terms.* Each member of the assembly serving on the council shall serve for the period of his or her term in office. The governor or his or her designee serving on the council under par. (b) 1 shall serve a 4-year term.

SECTION 47g. 15.135 (4) (b) 1 of the statutes is amended to read:

15.135 (4) (b) 1. The secretaries of administration, of natural resources and of agriculture, trade and consumer protection or their designees;

SECTION 47r. 15.135 (4) (c) of the statutes is amended to read:

15.135 (4) (c) *Advisory members.* The board shall invite the U.S. secretary of agriculture to appoint a representative of the soil conservation service and a representative of the agricultural stabilization and conservation service to serve as advisory members of the board. In addition, the board shall invite the dean of the college of agricultural and life sciences of the university of Wisconsin-Madison, ~~the secretary of natural resources~~ and the director of the university of Wisconsin-extension to serve or appoint a person to serve as an advisory member of the board.

SECTION 48. 15.151 of the statutes is renumbered 15.151 (intro.) and amended to read:

**15.151 Same; program responsibilities.** (intro.) The department of development shall have the program responsibilities specified for the department under chs. 236 and 560 and ss. 13.49 (7), 16.75 (4) (b), 59.07 ~~(20)~~ and (75), 66.013 to 66.021, 66.521 (10) (g), 66.92 (3), 66.945, 70.27 (8), 91.65, 101.597 (3) and 234.18 (2). In addition:

SECTION 49. 15.151 (1) of the statutes is created to read:

15.151 (1) **TECHNOLOGY DEVELOPMENT BOARD.** The technology development board shall have the program responsibilities specified for the board under s. 560.085.

SECTION 50. 15.155 of the statutes is created to read:

**15.155 Same; attached boards and commissions.** (1) **TECHNOLOGY DEVELOPMENT BOARD.** There is created a technology development board attached to the department of development under s. 15.03 consisting of the secretary of development and the president of the university of Wisconsin system or their designees, and 3 public members appointed for staggered 3-year terms. The public members shall be representative of the scientific, technical and financial communities of this state.

SECTION 50am. 15.171 (1) of the statutes, as affected by 1983 Wisconsin Act 16, is amended to read:

15.171 (1) (title) **DIVISION OF MERIT RECRUITMENT AND SELECTION.** The division of ~~personnel~~ merit recruitment and selection shall have the program responsibilities specified for the division under ss. 19.45 (11) (a), 36.09 (1) (i), 45.43 (7), 46.05 (1n), 49.50, 70.99 (12) and ~~73.09 (2) and (5)~~ and ch. 230.

SECTION 50c. 15.173 (1) (title) of the statutes is amended to read:

15.173 (1) (title) **DIVISION OF MERIT RECRUITMENT AND SELECTION.**

SECTION 50cm. 15.177 (1) of the statutes is renumbered 15.177 (1) (a).

SECTION 50d. 15.177 (1) (b) of the statutes is created to read:

15.177 (1) (b) The members of the council shall be appointed as follows:

1. One member shall be appointed by the president of the senate.
2. One member shall be appointed by the speaker of the assembly.
3. One member shall be appointed by the minority leader of the senate.
4. One member shall be appointed by the minority leader of the assembly.
5. Eleven members shall be appointed by the governor.

SECTION 50f. 15.191 (4m) of the statutes is created to read:

15.191 (4m) PRISON INDUSTRIES BOARD. The prison industries board shall have the program responsibilities specified for the board in ss. 56.01, 56.015 and 56.02.

SECTION 50r. 15.195 (3m) of the statutes is created to read:

15.195 (3m) PRISON INDUSTRIES BOARD. There is created a prison industries board which is attached to the department of health and social services under s. 15.03. The board shall consist of 9 members appointed for staggered 3-year terms. Two members shall be appointed to represent private business and industry and 2 members shall be appointed to represent private labor organizations. One member shall be appointed to represent each of the following:

- (a) Ex-offenders who served time in the Wisconsin state prisons.
- (b) The university of Wisconsin system.
- (c) The vocational, technical and adult education system.
- (d) The department of health and social services.
- (e) Potential customers of prison industries.

SECTION 50x. 15.197 (17) of the statutes is created to read:

15.197 (17) COUNCIL ON MEDICAL EDUCATION LOAN REPAYMENT GRANTS. There is created in the department of health and social services a council on medical education loan repayment grants. The council shall consist of 7 members appointed by the secretary of health and social services. The members shall include at least one representative from the health policy council, the medical education review committee, the university of Wisconsin medical school and the medical college of Wisconsin.

SECTION 51. 15.255 (1) (a) 7 of the statutes is amended to read:

15.255 (1) (a) 7. The executive director of the ~~Wisconsin~~ council on criminal justice.

SECTION 51g. 15.341 (4) of the statutes is created to read:

15.341 (4) WISCONSIN CONSERVATION CORPS BOARD. The Wisconsin conservation corps board shall have the program responsibilities specified for the board under s. 23.48.

SECTION 51r. 15.345 (4) of the statutes is created to read:

15.345 (4) WISCONSIN CONSERVATION CORPS BOARD. (a) *Creation*. There is created a Wisconsin conservation corps board which is attached to the department of natural resources under s. 15.03.

(b) *Membership*. The Wisconsin conservation corps board consists of 7 members appointed by the governor from various areas of the state in a manner designed to provide regional representation.

(c) *Liaison representatives*. The secretary of agriculture, trade and consumer protection, the secretary of health and social services, the secretary of industry, labor and human relations, the secretary of natural resources and the chancellor of the university of Wisconsin-extension, or a designee of such a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin conservation corps board, and provide information to and assist the board. The liaison representatives are not board members and may not vote on any board decision or action.

(d) *Terms*. Members of the Wisconsin conservation corps board shall serve staggered 6-year terms.

SECTION 52. 15.371 (5) of the statutes is created to read:

15.371 (5) SCHOOL DISTRICT BOUNDARY APPEAL BOARD. The school district boundary appeal board shall have the program responsibilities specified for the board under ch. 117.

SECTION 53. 15.375 (2) of the statutes is created to read:

15.375 (2) **SCHOOL DISTRICT BOUNDARY APPEAL BOARD.** There is created a school district boundary appeal board in the department of public instruction. The board shall consist of 8 school board members appointed by the state superintendent of public instruction for staggered 2-year terms and the state superintendent of public instruction or his or her designee. Four of the members appointed by the state superintendent of public instruction shall be appointed as alternate members, who may act only when another member is absent, disqualifies himself or herself or is disqualified because of a conflict of interest. No 2 board members may reside within the boundaries of the same cooperative educational service agency.

SECTION 54. 15.405 (5), (6), (7), (7m), (8) and (12) of the statutes are amended to read:

15.405 (5) **CHIROPRACTIC EXAMINING BOARD.** There is created a chiropractic examining board in the department of regulation and licensing. The chiropractic examining board shall consist of 5 members, appointed for staggered 6-year terms. Four members shall be graduates from a school of chiropractic, be licensed to practice chiropractic in this state and shall have been practitioners of chiropractic in this state for the 3 years immediately preceding appointment. One member shall be a public member. Persons appointed to the examining board shall not be officers or employes of, or be financially interested in, any school or college of chiropractic. ~~In lieu of a per diem, the secretary may receive such additional compensation as the examining board directs, but not to exceed \$4,000 annually.~~

(6) **DENTISTRY EXAMINING BOARD.** There is created a dentistry examining board in the department of regulation and licensing. The dentistry examining board shall consist of 7 members appointed for staggered 5-year terms. Five of the members shall be licensed dentists in this state. One member shall be a dental hygienist certified to practice in this state who shall have all the powers and duties of public members under s. 15.08 (1m) (a) except that the dental hygienist member may participate in the preparation and grading of licensing examinations for dental hygienists. One member shall be a public member. No person may be appointed to the examining board who is in any way connected with or has a financial interest in any dental or dental hygiene school or department. ~~The secretary may receive such compensation, in lieu of a per diem, as the examining board directs.~~

(7) **MEDICAL EXAMINING BOARD.** There is created a medical examining board in the department of regulation and licensing. The medical examining board shall consist of 9 members appointed for staggered 4-year terms which shall commence on May 1. The terms of 2 members shall expire annually on April 30. Seven of the members shall be licensed doctors of medicine; one member shall be a licensed doctor of osteopathy; one member shall be a public member. No person may be appointed to the examining board who is an instructor, stockholder or member of, or financially interested in, any school, college or university having a medical department, or of any school of osteopathy, except an instructor having a part-time clinical appointment. ~~In lieu of a per diem, the secretary shall receive such additional compensation as the examining board directs, but not less than \$1,900 annually.~~

(7m) **NURSING HOME ADMINISTRATOR EXAMINING BOARD.** There is created a nursing home administrator examining board in the department of regulation and licensing consisting of 9 members appointed for staggered 3-year terms and the secretary of health and social services or a designee, who shall serve as a nonvoting member. Any organization which is to submit a list of names from which the governor may appoint members of the examining board shall, upon request of the governor, submit additional names. One member shall be a nursing home administrator of a voluntary nonprofit home who may be appointed from a list of names submitted by the Wisconsin council of homes for the aging. One member shall be a nursing home administrator of a proprietary home who

may be appointed from a list of names submitted by the Wisconsin association of nursing homes, inc. One member shall be an administrator of a general acute care hospital who may be appointed from a list of names submitted by the Wisconsin hospital association. One member shall be an administrator of a public medical care facility who may be appointed from a list of names submitted by the association of Wisconsin county homes. One member shall be a member of the Wisconsin chapter of the American college of nursing home administrators, who may be selected from a list of names submitted by the college. One member shall be a physician who may be selected from a list of names submitted by the state medical society of Wisconsin. One member shall be a nurse who may be selected from a list of names submitted by the Wisconsin nurses association, inc. Two members shall be public members. No more than 2 members may be officials or full-time employees of the state and less than a majority of the examining board shall be representatives of a single profession or institutional category. ~~The secretary may receive such additional compensation as the examining board directs.~~

(8) OPTOMETRY EXAMINING BOARD. There is created an optometry examining board in the department of regulation and licensing. The optometry examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall have been actively engaged in the practice of optometry for the 5 years immediately preceding appointment. One member shall be a public member. ~~The secretary may receive such additional compensation as the examining board directs.~~

(12) VETERINARY EXAMINING BOARD. There is created a veterinary examining board in the department of regulation and licensing. The veterinary examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall be licensed and actually engaged in the practice of veterinary medicine in this state. One member shall be a public member. No member of the board shall in any way be financially interested in any school having a veterinary department. ~~The secretary may receive such compensation, in lieu of a per diem, as the examining board directs.~~

SECTION 54m. 15.57 of the statutes is amended to read:

**15.57 Educational communications board; creation.** There is created an educational communications board consisting of the:

(1) ~~The~~ governor, the state superintendent of public instruction, the president of the university of Wisconsin system and the director of the board of vocational, technical and adult education, or their designees; ~~8.~~

(2) ~~Four public~~ members appointed for 4-year terms, ~~of whom 4 shall be citizen members and one each shall be.~~

(3) ~~Four members~~ appointed for 4-year terms, including a representative of private higher education, a representative of private or parochial elementary or secondary education, a representative of public elementary and secondary education and a representative of a public school board of a district operating elementary and high school grades; ~~and one.~~

(4) One majority and one minority party senator and one majority and one minority party representative to the assembly, appointed as are the members of standing committees in their respective houses.

SECTION 55. 15.587 of the statutes is repealed.

SECTION 55e. 15.625 of the statutes is created to read:

**15.625 Same; attached commissions.** (1) JUDICIAL COMMISSION. The judicial commission created under s. 757.83 (1) is attached to the ethics board under s. 15.03.

~~15.677 (3) WISCONSIN HIGHER EDUCATION CORPORATION COUNCIL. There is created a Wisconsin higher education corporation council consisting of 5 members appointed by the governor to serve at his or her pleasure.~~ **Vetoed in Part**

SECTION 55s. 15.70 of the statutes is renumbered 15.70 (intro.) and amended to read:

**15.70 (title) Historical society.** (intro.) There is continued the state historical society of Wisconsin initially organized under chapter 17, laws of 1853, to be known for statutory purposes as the historical society, under the direction and supervision of a board of curators. This The board of curators is not subject to s. 15.07. The board of curators shall consist of:

SECTION 55t. 15.70 (1) to (6) of the statutes are created to read:

- 15.70 (1) The governor, or his or her designee.
- (2) The speaker of the assembly or his or her designee chosen from the representatives to the assembly.
- (3) The president of the senate or his or her designee chosen from the members of the senate.
- (4) Three members nominated by the governor and with the advice and consent of the senate appointed for staggered 3-year terms.
- (5) Members selected as provided in the constitution and bylaws of the historical society. After July 1, 1986, the number of members on the board of curators selected under this subsection may not exceed 30.
- (6) One member of the senate from the minority party in the senate and one representative to the assembly from the minority party in the assembly, appointed as are members of standing committees in their respective houses.

SECTION 55tm. 15.701 (1) of the statutes is created to read:

15.701 (1) DIVISION OF HISTORIC SITES. The division of historic sites shall have the program responsibilities specified for the division under ~~ss. 20.245 (2) (b) and~~ 44.20. **Vetoed in Part**

SECTION 55u. 15.703 of the statutes is created to read:

**15.703 Same; specified divisions.** (1) DIVISION OF HISTORIC SITES. There is created a division of historic sites which is attached to the historical society under s. 15.03. The administrator of the division of historic sites in the historical society shall act as the business manager and shall be appointed outside the classified service by the board of curators of the historical society to serve at the board's pleasure.

SECTION 56. 16.002 (3) of the statutes is created to read:

16.002 (3) "Position" means a group of duties and responsibilities in either the classified or the unclassified divisions of the civil service, which require the services of an employe on a part-time or full-time basis.

SECTION 56a. 16.003 (2) of the statutes is amended to read:

16.003 (2) STAFF. The Except as provided in s. 16.548, the secretary shall appoint, under the classified service, the staff necessary for performing the duties of the department. All staff shall be appointed under the classified service except as otherwise provided by law.

SECTION 58. 16.004 (2) of the statutes is amended to read:

16.004 (2) INFORMATION; REPORTS; RECOMMENDATIONS. The secretary shall furnish all information requested by the governor or by any member of the legislature. ~~The secretary shall report to the governor and the joint committee on finance by July 15 of each year recommendations and legislative proposals which will improve the administration of the state's agencies, which shall be a public document.~~

SECTION 59. 16.01 of the statutes is created to read:

**16.01 Women's council.** (1) In this section, "agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created under ch. 231, 233 or 234.

(2) The women's council shall:

(a) Identify the barriers that prevent women in this state from participating fully and equally in all aspects of life.

(b) Conduct statewide hearings on issues of concern to women.

(c) Review, monitor and advise all state agencies regarding the impact upon women of current and emerging state policies, procedures, practices, laws and administrative rules.

(d) Work closely with all state agencies, including the university of Wisconsin system and the vocational, technical, and adult education system, with the private sector and with groups concerned with women's issues to develop long-term solutions to women's economic and social inequality in this state.

(e) Recommend changes to the public and private sectors and initiate legislation to further women's economic and social equality and improve this state's tax base and economy.

(f) Disseminate information on the status of women in this state.

(g) Submit a biennial report on the women's council's activities to the governor and to the presiding officer of each house of the legislature.

(3) All state agencies, including the university of Wisconsin system and the vocational, technical and adult education system, shall fully cooperate with and assist the women's council. To that end, a representative of a state agency shall, upon request by the women's council:

(a) Provide information on program policies, procedures, practices and services affecting women.

(b) Present recommendations to the women's council.

(c) Attend meetings and provide staff assistance needed by the women's council.

(d) Inform the agency's appointing authority of issues concerning the women's council.

SECTION 59s. 16.40 (7) of the statutes is amended to read:

**16.40 (7) COLLECT REVENUE INFORMATION.** Collect from any available source and correlate information concerning any and all anticipated state revenues, including program revenues and segregated revenues from program receipts.

SECTION 60. 16.40 (16) of the statutes is repealed.

SECTION 61. 16.40 (17) of the statutes is repealed.

SECTION 62. 16.41 of the statutes is amended to read:

**16.41 (title) Agency and authority accounting; information; aid.** (1) All agencies shall keep their accounts and other financial records as prescribed by the secretary under s. 16.40 (5), except as otherwise specifically directed by law. All such agencies and authorities shall also furnish to the secretary all information relating to their financial transactions which the secretary requests pursuant to this subchapter for such periods as the secretary requests, and shall render such assistance in connection with the preparation of the state budget report and the budget bill and in auditing accounts, as the secretary or the governor may require.

(2) The secretary and his or her duly authorized employes shall have free access to all financial accounts of every ~~state department agency and authority~~, and each ~~department agency and authority~~ shall assist the secretary in preparing estimates of receipts and expenditures for inclusion in the state budget report.

(3) Upon request of the secretary all agencies and authorities shall furnish such information concerning anticipated revenues and expenditures as the secretary requires for effective control of state finances.

SECTION 63. 16.41 (4) of the statutes is created to read:

16.41 (4) In this section, "authority" means a body created under ch. 231, 233 or 234.

SECTION 64. 16.415 (1) and (3) of the statutes are amended to read:

16.415 (1) Neither the secretary ~~of administration~~ nor any other fiscal officer of this state shall may draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the treasurer or other disbursing officer of the state to pay any compensation to any person in the classified service of the state unless an estimate, payroll or account for such compensation, containing the names of every person to be paid, bears the certificate of the appointing authority that ~~the persons~~ each person named in ~~such~~ the estimate, payroll or account have has been appointed, employed, ~~reinstated or promoted as required by law and the rules established thereunder~~ or subject to any other personnel transaction in accordance with, and that the pay is for the person has been established in accordance with, the law, compensation plan or applicable collective bargaining agreement, and rules of the secretary of employment relations and the administrator of the division of merit recruitment and selection in the department of employment relations then in effect.

(3) Any sums paid contrary to this section may be recovered from any appointing authority making such appointments in contravention of law or of the rules ~~made adopted~~ pursuant thereto, or from any appointing authority signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same, or from the sureties on the official bond of any such appointing authority, in an action in the circuit court ~~of~~ for any county within the state, maintained by the ~~director~~ secretary of employment relations or by the personnel board or by any member thereof, or by a citizen resident therein, who is assessed for, and liable to pay, or within one year before the commencement of the action has paid, a state, city or county tax within this state. All moneys recovered in any action brought under this section when collected, shall be paid into the state treasury except that if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive for personal use the taxable cost of such action and 5% of the amount recovered as attorney's attorney fees.

SECTION 65. 16.422 of the statutes is repealed.

SECTION 66. 16.425 (3) of the statutes is amended to read:

16.425 (3) REPORT ON TAX EXEMPTION DEVICES. The department of revenue shall in each even-numbered year on the date prescribed for it by the secretary, furnish to the secretary a report detailing the approximate costs in lost revenue, the policy purposes and to the extent possible, indicators of effectiveness in achieving such purposes, for all state tax exemption devices, including those based on the federal internal revenue code, in effect at the time of the report. ~~The report in 1974 need relate only to ch. 71 tax exemption devices. The report in 1976 need relate only to chs. 71 and 77 tax exemption devices. The report in 1978 need relate only to chs. 71, 72 and 77 tax exemption devices. The report in 1980 need relate only to chs. 71, 72, 76 and 77 tax exemption devices. The report in 1982 need relate only to chs. 70, 71, 72, 76 and 77 tax exemption devices. The report in 1982 shall include a qualitative analysis of private real property tax exemptions. The reports in 1984 and thereafter shall include an estimate of the value of private tax-exempt real property.~~ The report shall be prepared in such a manner as to facilitate the making of comparisons with the information reported in s. 16.46 (1) to (6).

SECTION 67. 16.46 (8) of the statutes is repealed.

SECTION 68. 16.47 (1) of the statutes is amended to read:

16.47 (1) The executive budget bill or bills shall incorporate the governor's recommendations for appropriations for the succeeding biennium. ~~Each appropriation in each bill except those for highway construction and aids to local units may be divided into 3 allotments: personal services, other operating expenses and capital outlay or other meaningful classifications, or appropriations may be made in total for all expense.~~ The appropriation method shown in the bill or bills shall in no way affect the amount of detail or manner of presentation which may be requested by the joint committee on finance. Appropriation requests may be divided into 3 allotments: personal services, other operating expenses and capital outlay or such other meaningful classifications as may be approved by the joint committee on finance.

SECTION 69. 16.47 (1m) of the statutes is amended to read:

16.47 (1m) Immediately after the delivery of the budget message, the budget bill or bills shall be introduced without change into either house by the joint finance committee and when introduced shall be referred to that committee.

SECTION 70. 16.50 (1) (a) of the statutes is amended to read:

16.50 (1) (a) Each department except the legislature and the courts shall prepare and submit to the secretary an estimate of the amount of money which it proposes to expend, encumber or distribute under any appropriation in ch. 20. The department of administration shall prepare and submit estimates for expenditures from appropriations under ss. 20.855, 20.865, 20.866, and 20.867, ~~20.876, 20.877 and 20.878.~~ The secretary may waive the submission of estimates of other than administrative expenditures from such funds as he or she determines. Estimates shall be prepared in such form, at such times and for such time periods as the secretary requires. Revised and supplemental estimates may be presented at any time under rules prescribed by the secretary.

SECTION 71a. 16.50 (3) of the statutes is amended to read:

16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No additional positions above the number authorized change in the number of full-time equivalent positions authorized through the biennial budget process or other legislative act may be granted made without the approval of the joint committee on finance, except for positions created position changes made by the governor under s. 16.505 (1) (c) or (2). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance ~~or as otherwise provided by law~~ creating or abolishing positions under s. 13.10, or the intent of the governor creating or abolishing positions under s. 16.505 (1) (c) or (2). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any ~~additional positions created~~ position changes made by the governor under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as ~~published~~ provided in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is diffi-

cult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 71m. 16.505 (1) (intro.) of the statutes is amended to read:

16.505 (1) (intro.) Except as provided in sub. (2), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

SECTION 72. 16.505 (1) (b) of the statutes is amended to read:

16.505 (1) (b) The joint committee on finance ~~or as otherwise provided by law under s. 13.10.~~

SECTION 72m. 16.505 (1) (c) and (2) of the statutes are amended to read:

16.505 (1) (c) The governor creating or abolishing positions funded from funding revenues specified in s. 20.001 (2) (e).

(2) An agency may request the governor to create or abolish a full-time equivalent position or portion thereof funded from revenues specified in s. 20.001 (2) (b) or (c) in the agency. Upon receiving such a request, the governor may change the authorized level of full-time equivalent positions funded from such revenues in the agency in accordance with this subsection. The governor may approve a different authorized level of positions than is requested by the agency. If the governor proposes to authorize the creation of any position as defined in s. 230.03 (11) not authorized under sub. (1) change the number of full-time equivalent positions in an agency funded from funding revenues specified in s. 20.001 (2) (b) or (c), the governor shall notify the joint committee on finance in writing of his or her proposed action. If the cochairpersons of the committee does not schedule do not notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed action within 14 working days after the date of the governor's notification, the position changes may be authorized made as proposed by the governor. If, within 14 working days after the date of the governor's notification, the cochairpersons of the committee schedules notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed action within 14 working days after the date of the notification, the position changes may be created made under this subsection only upon approval of the committee.

SECTION 72s. 16.513 of the statutes is created to read:

**16.513 Program and segregated revenue sufficiency.** (1) Each agency which has a program revenue appropriation or appropriation of segregated revenues from program receipts shall, at such times as required by the secretary, make quarterly reports to the department projecting the revenues and expenditures for the ensuing quarterly period under each such appropriation to the agency.

(2) Upon reviewing the reports submitted under sub. (1), the department shall report to the joint committee on finance concerning any projected insufficiency of program revenues or segregated revenues from program receipts to meet expenditures contemplated by agencies. The report shall contain information concerning any encumbrances made by agencies attributable to a program revenue appropriation or appropriation of segregated revenues from program receipts that are in excess of the moneys, assets or accounts receivable under s. 20.903 (2) required to remove the liabilities created by the encumbrances.

(3) If there are insufficient moneys, assets or accounts receivable, as determined under s. 20.903 (2), that are projected by an agency or projected by the department under s. 16.40 (7) to cover anticipated expenditures under a program revenue appropriation or appropriation of segregated revenues from program receipts, the agency shall propose and submit to the department a plan to assure that there are sufficient moneys, assets or accounts receivable to meet projected expenditures under the appropriation. The department may approve, disapprove or approve with modifications each plan submitted by an

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agency. If the department approves a plan, or approves a plan with modifications, the department shall forward the plan to the governor for his or her approval or disapproval. Upon approval of a plan by the governor, the secretary shall forward the proposed plan to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed plan within 14 working days after the date of the secretary's submittal, any portion of the plan which does not require the action of the legislature or the action of the committee under another law may be implemented. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, no part of the plan may be implemented without the approval of the committee in accordance with applicable law, or without the approval of the legislature if legislative approval is required.

(4) The department shall monitor the performance of agencies in carrying out plans approved under sub. (3) and shall periodically report its findings regarding such performance to the joint committee on finance.

(5) Any officer of an agency which is responsible for the submission of a report required by sub. (1) or a plan required by sub. (3) who fails to submit the report or plan within the time required by the department may be required to forfeit not less than \$200 nor more than \$1,000.

SECTION 73. 16.52 (2) of the statutes is amended to read:

16.52 (2) REVENUE ACCOUNTS. Place revenue estimates on the books of accounts and credit actual receipts against them as of the last day of each quarter. Except as provided in s. 20.002 (2), any receipts applying to a prior fiscal year received between ~~August 1~~ the day after the date for closing of books specified by the secretary under sub. (5) (a) and the next succeeding July 31 such date specified by the secretary shall be credited by the secretary to the fiscal year ~~in which that August 1 falls~~ following the year to which the receipts apply. Except in the case of program revenue and continuing appropriations, any refund of a disbursement to a general purpose revenue appropriation, applicable to any prior fiscal year, received between these dates may not be credited to any appropriation but shall be considered as a nonappropriated receipt. General purpose revenue (GPR) earned, as defined in s. 20.001 (4) is not available for expenditure, whether or not applied to the fiscal year in which received.

SECTION 74. 16.52 (5) (a) and (b) of the statutes are amended to read:

16.52 (5) (a) On a date specified by the secretary within 7 days of July 31 of each fiscal year, all outstanding encumbrances against an appropriation entered for the previous fiscal year shall be transferred by the secretary as encumbrances against the appropriation for the current fiscal year, and an equivalent prior year appropriation balance shall also be forwarded to the current year by the secretary. Payments made on previous year encumbrances forwarded shall be charged to the current fiscal year. All other charges incurred during any previous fiscal year, and not evidenced by encumbrances, which are presented for payment between August 1 the day after the date specified by the secretary under this paragraph in any fiscal year and July 31 the date specified by the secretary under this paragraph in the next succeeding fiscal year shall be entered as charges in the fiscal year following the year in which that August 1 falls the charges are incurred. The requirements of this paragraph may be waived in whole or in part by the secretary with the advice of the state auditor on appropriations other than general purpose revenue appropriations and corresponding segregated revenue appropriations.

(b) After July 31 the date specified by the secretary under par. (a), agencies shall be allowed not to exceed one month for reconciling July 31 prior year balances, correcting errors and certifying necessary adjustments to the central accounting office department. No prior year corrections shall be permitted after ~~August 31~~ that date, it being incum-

bent upon all agencies to completely reconcile their records with the department of ~~ad-~~ ~~administration~~ by ~~said~~ that date. Each agency shall delegate to some individual the responsibility of reconciling its accounts as herein provided and shall certify the individual's name to the secretary. As soon as a reconciliation has been effected, the agency shall advise the secretary in writing of such fact and shall forward to the secretary a copy of such reconciliation. If any agency fails to reconcile its accounts as provided in this subsection, the person responsible for such reconciliation shall not be entitled to any further compensation for salary until such reconciliation is effected. With the approval of the state auditor any agency which relies extensively on central accounting records may be permitted by the secretary to file a statement of agreement in lieu of a reconciliation on all or part of its accounts.

SECTION 75. 16.53 (1) (c) 11 of the statutes is repealed.

SECTION 76. 16.53 (1) (d) 1 of the statutes is amended to read:

16.53 (1) (d) 1. The secretary, with the approval of the joint committee on employment relations, shall fix the time and frequency for payment of salaries due elective and appointive officers and employes of the state. As determined under this subdivision, the salaries shall be paid either monthly, semimonthly or for each 2-week period.

2. Costs for benefits under ch. 108 which are paid on an actual basis may be charged to and collected from agencies by the secretary on an estimated or premium basis, credited to appropriate appropriations, and paid from the appropriations on an actual basis. If a billing submitted by the department of industry, labor and human relations for payment of a specific claim for benefits under s. 108.15 (7) remains unpaid by the agency to whom the billing is submitted for more than 60 days after the billing is transmitted to the agency by the secretary, the secretary may charge the cost of payment of the billing to the proper appropriation of the agency to whom the billing is submitted without authorization of the agency and notwithstanding any pending dispute concerning agency liability. If it is finally determined that an agency is not liable in whole or in part for payment of a billing previously submitted and paid, the secretary shall credit any refund received to the appropriation from which the billing was paid, if it is available for expenditure, or otherwise to the fund from which the billing was paid. Any credit to a sum sufficient appropriation shall be made only to the fund from which the appropriation is made. In addition, the secretary may charge agencies for the department's costs of estimation, collection and payment of benefits under ch. 108 on a prorated basis in accordance with the percentage of costs attributable to each agency. Service charges shall be paid into the appropriation made under s. 20.505 (1) (ka).

SECTION 77. 16.53 (1) (d) 2 and 3 of the statutes are renumbered 16.53 (1) (d) 3 and 4, respectively.

SECTION 78. 16.53 (5) of the statutes is amended to read:

16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw his warrant on the state treasurer payable to the claimant for the amount allowed by him upon every claim audited under sub. (1), ~~except as authorized in s. 20.370 (9) (ms), 20.920 or 20.929,~~ specifying from what fund to be paid, the particular law which authorizes the same to be paid out of the state treasury, and at the secretary's discretion the post-office address of the payee; and he shall not credit the treasurer for any sum of money paid out by him otherwise than upon such warrants.

SECTION 79. 16.533 of the statutes is repealed.

SECTION 80. 16.535 (7) (c) of the statutes is amended to read:

16.535 (7) (c) The department of ~~administration shall~~ may not approve for payment any travel vouchers which exceed the auto mileage rates set under s. 20.916 (4) (a) and (e).

SECTION 81. 16.535 (7) (d) of the statutes is repealed.

SECTION 82. 16.537 of the statutes is repealed.

SECTION 82m. 16.54 (2) of the statutes is renumbered 16.54 (2) (a) and amended to read:

16.54 (2) (a) Whenever funds shall be made available to this state through an act of congress and acceptance thereof the funds are accepted as provided in sub. (1), the governor shall designate the state board, commission or department to administer any of such funds, and the board, commission or department so designated by the governor is authorized and directed to administer such fund funds for the purpose designated by the act of congress making an appropriation of such funds, or by the department of the United States government making such funds available to this state. Whenever a block grant is made to this state, no funds may be transferred from use as a part of one such grant to use as a part of another such grant, regardless of whether a transfer between appropriations is required, unless the joint committee on finance approves the transfer under s. 13.10. In this subsection, "block grant" means a multipurpose federal grant so designated under federal law.

Partial  
Veto  
Overruled

SECTION 82r. 16.54 (2) (b) of the statutes is created to read:  
16.54 (2) (b) Notwithstanding 1983 Wisconsin Act .... (this act), section 2020 (1), before using any of the funds disbursed by the federal government to the governor under 42 USC 8621 to 8629, the department of health and social services shall submit to the joint committee on finance the proposed state plan under 42 USC 8624 (c). The department of health and social services may not use the funds unless the committee approves the plan.

Partial  
Veto  
Overruled

SECTION 82s. 16.54 (8) of the statutes is amended to read:

16.54 (8) An agency may request the governor to create or abolish a full-time equivalent position or portion thereof funded from revenues specified in s. 20.001 (2) (e) in the agency. Upon receiving such a request, the governor may change the authorized level of full-time equivalent positions funded from such revenues in the agency. The governor may approve a different authorized level of positions than is requested by the agency. The governor, through the secretary, shall notify the joint committee on finance at least quarterly of any federal funds received or positions created, pursuant to this section, in excess of those approved in the biennial budget process and of any positions created or abolished under this section.

SECTION 82w. 16.544 of the statutes is created to read:

**16.544 Federal aid disallowances.** (1) Each agency that is informed by a federal agency that any liability of the agency that has been or was anticipated to be assumed by the federal government from federal moneys received by the agency will not be an allowable use of the federal moneys shall notify the department and the joint committee on finance in writing of the disallowance. The notice shall include a statement of the method proposed by the agency to settle the disallowance.

(2) Each agency having given notice under sub. (1) shall make a quarterly report to the department, or at such other times as the secretary may require, concerning the status of efforts to resolve the audit disallowance. The format of the report shall be determined by the secretary.

(3) Prior to taking final action to remove any liability related to an audit disallowance reported under sub. (1), an agency shall submit to the department a statement of the action proposed to remove the liability. The department may approve, disapprove or approve with modifications each such proposed action. The secretary shall forward a copy of each statement of proposed action approved by the department, together with its recommendations, if any, to the joint committee on finance. ~~If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal and recommendations within 14 working days after the date of the secretary's submittal, any portion of the proposal and recommendations~~

Vetoed  
in Part

~~which does not require the action of the legislature or the action of the committee under another law may be implemented. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal and recommendations, no part of the proposal or recommendations may be implemented without the approval of the committee in accordance with applicable law, or without the approval of the legislature if legislative approval is required.~~

Vetoed  
in Part

SECTION 83. 16.548 of the statutes is amended to read:

**16.548 (title) Federal-state relations office; report.** ~~If the (1) The department maintains an~~ may maintain a federal-state relations office in Washington, D.C., for the purpose of promoting federal-state cooperation, headed by a director. The director and a staff assistant for the office shall be appointed by the governor outside the classified service, subject to the concurrence of the joint committee on legislative organization. The director and staff assistant shall serve at the pleasure of the governor.

(2) If the department maintains a federal-state relations office, it shall submit a report from the office to the legislature within 30 days after the close of each calendar quarter detailing the activities of the office during the quarter and reporting the status of federal legislation of concern to the legislature and other state agencies.

SECTION 83m. 16.548 (3) of the statutes is created to read:

16.548 (3) The department may arrange for the office of federal-state relations to share office facilities with a similar office serving another state.

SECTION 84. 16.61 (3) (j) of the statutes is amended to read:

16.61 (3) (j) Shall establish a records and forms management program for this state.

SECTION 85. 16.61 (3) (p) of the statutes is amended to read:

16.61 (3) (p) Shall appoint a records and forms management coordinator in the classified service to oversee the day-to-day execution of the board's duties, to serve as the executive secretary of the board ~~and director of the records and forms center, to coordinate the statewide records and forms management program~~ and to have statewide responsibility for limiting paperwork. That coordinator shall review all forms approved by a records and forms officer for jurisdiction, authority, standardization of design and nonduplication of existing forms and shall report to the board quarterly on the progress of records and forms management within state agencies. Unless the coordinator rejects for cause or modifies the form within 20 working days, it is approved. The coordinator's rejection of any form is appealable to the public records and forms board. If the head of a state agency certifies to the coordinator that the form is needed on a temporary, emergency basis, the form is approved.

SECTION 86. 16.61 (3) (q) of the statutes is amended to read:

16.61 (3) (q) ~~Shall see that the records and forms center in the department does serve as a clearinghouse for all public contact forms and carries out the duties under this subsection.~~

SECTION 87. 16.62 (title) and (1) of the statutes are repealed and recreated to read:

**16.62 (title) Records management service.** (1) The department shall establish and maintain a records management service:

(a) To advise and assist state agencies in the establishment and operation of records management programs through the issuance of standards and procedures and provision of technical and management consulting services.

(b) To operate a state records center and a central microfilm facility for state agencies and to develop rules as necessary for efficient operation of the facilities.

(c) To periodically audit state agencies' records management programs and recommend improvements in records management practices.

SECTION 88. 16.62 (3) of the statutes is amended to read:

16.62 (3) The department may establish user fees for the services of the public records and forms board and of the public records and forms center its coordinator. Those fees shall be sufficient to fund the necessary functions of the board and center services. Any moneys collected shall be credited to the appropriation under s. 20.505 (1) (i) or (kg).

SECTION 89. 16.70 (1) of the statutes is amended to read:

16.70 (1) "Contractual services" includes all ~~materials and~~ services, materials to be furnished by a service provider in connection with services, and any limited trades work involving less than \$10,000 to be done for or furnished to the state or any office thereof.

SECTION 90. 16.70 (2m) of the statutes is created to read:

16.70 (2m) "Municipality" means a county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical and adult education district or any other public or quasi-public corporation, officer, board or other body having the authority to award public contracts.

SECTION 91. 16.705 (4) of the statutes is renumbered 16.75 (6) (e) and amended to read:

16.75 (6) (e) The governor or his or her designee may waive any requirement of this subchapter if the governor or his or her designee finds that there exists an emergency which threatens the public health, safety or welfare and the waiver is necessary to meet the emergency. The governor or his or her designee shall require the award of each contract under this ~~subsection paragraph~~ to be made with such competition as is practicable under the circumstances. The governor or his or her designee shall file with the department a statement of facts constituting the emergency for each waiver issued under this ~~subsection paragraph~~, and a statement of the basis for selection of each contractor under the emergency procedure. This ~~subsection paragraph~~ does not apply to the requirement specified in ~~s. 16.75 sub.~~ (7).

SECTION 92. 16.73 of the statutes is created to read:

**16.73 Cooperative purchasing.** (1) The department may enter into an agreement with a municipality or group of municipalities, and municipalities may enter into agreements with each other, under which any of the parties may agree to participate in, administer, sponsor or conduct purchasing transactions under a joint contract for the purchase of materials, supplies, equipment, permanent personal property, miscellaneous capital or contractual services. This subsection does not apply to construction contracts that are subject to s. 16.855 or 66.29.

(2) The department may purchase and store in warehouses articles that may be needed by state departments and municipalities. The department may sell stored articles to municipalities at cost.

(3) The department may, upon request, make available to municipalities technical purchasing information including, but not limited to, standard forms, manuals, product specifications and standards and contracts or published summaries of contracts, including price and delivery information.

SECTION 93. 16.75 (1) (a) of the statutes is amended to read:

16.75 (1) (a) All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services, except as otherwise provided in par. (c) and subs. (1m), (2), ~~(2m)~~, ~~(3m)~~, ~~(3s)~~, (6), (7) and (8) and ss. 16.754, 50.05 (7) (f) and 144.48 (7), shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the institution or agency, the quantities of the articles to be supplied, their conformity with the specifi-

cations, and the purposes for which they are required and the date of delivery; but preference shall always be given to materials, supplies, equipment and contractual services of Wisconsin producers, distributors, suppliers and retailers. Bids may be received only in accordance with such specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (2m) or (6) or of the purchasing prohibition provided in sub. (8) shall be entered on a record kept by the department and open to public inspection.

SECTION 95. 16.75 (2m) of the statutes is created to read:

16.75 (2m) (a) If the secretary or his or her designee determines that the use of competitive sealed bidding is not practicable or not advantageous to this state, the department may solicit competitive sealed proposals. Each request for competitive sealed proposals shall state the relative importance of price and other evaluation factors.

(b) When the estimated cost exceeds \$10,000, the department shall publish a class 2 notice under ch. 985 inviting competitive sealed proposals. The advertisement shall describe the materials, supplies, equipment or service to be purchased, the intent to solicit proposals rather than bids, any requirement for surety and the date the proposals will be opened, which shall be at least 7 days after the date of the last insertion of the notice.

(c) When the estimated cost is \$10,000 or less, the department may award the order or contract in accordance with simplified procedures established by the department for such transactions.

(d) For purposes of clarification, the department may discuss the requirements of the proposed order or contract with any person who submits a proposal and shall permit any offerer to revise his or her proposal to ensure its responsiveness to those requirements.

(e) The department shall determine which proposals are reasonably apt to be awarded the order or contract and shall provide each offerer of such a proposal a fair and equal opportunity to discuss the proposal. The department may negotiate with each offerer in order to obtain terms that are advantageous to this state. Prior to the award of the order or contract, any offerer may revise his or her proposal. The department shall keep a written record of all meetings, conferences, oral presentations, discussions, negotiations and evaluations of proposals under this section.

(f) In opening, discussing and negotiating proposals, the department may not disclose any information that would reveal the terms of a competing proposal.

(g) After receiving each offerer's best and final offer, the department shall determine which proposal is most advantageous and shall award the order or contract to the person who offered it. The department's determination shall be based only on price and the other evaluation factors specified in the request for proposals. The department shall state in writing the reason for the award and shall place the statement in the contract file.

(h) Following the award of the order or contract, the department shall prepare a register of all proposals.

(i) This subsection does not apply to the purchase of printing or stationery.

SECTION 95m. 16.75 (3m) of the statutes is created to read:

16.75 (3m) (a) In this subsection:

1. "Minority business" means a sole proprietorship, partnership, joint venture or corporation which is at least 51% owned by minority group members.

2. "Minority group member" means a Black American, American Indian, Hispanic American or Oriental American.

(b) The department shall attempt to ensure that 5% of the total amount expended under this subchapter in each fiscal year is paid to minority businesses. Except as provided under subs. (7) and (8), the department may purchase materials, supplies, equipment and contractual services from any minority business submitting a qualified responsible competitive bid that is no more than 5% higher than the apparent low bid or competitive proposal that is no more than 5% higher than the most advantageous offer, unless the department is required under sub. (3s) to award the order or contract to a sheltered workshop.

(c) 1. After completing any contract under this subchapter, the contractor shall report to the office that awarded the contract any amount of the contract that was subcontracted to minority businesses.

2. Each office shall report to the department at least semiannually, or more often if required by the department, the total amount of money it has expended for contracts and orders awarded to minority businesses and the number of contacts with minority businesses in connection with proposed purchases.

3. The department shall maintain and annually publish data on state purchases from minority businesses, including amounts expended and the percentage of total expenditures awarded to minority businesses.

4. The department shall annually prepare and submit a report to the governor and to the presiding officer of each house of the legislature on the total amount of money paid to minority businesses under the requirements of this subsection and ss. 16.855 (10m), 16.87 (2) and 84.075 and on this state's progress toward achieving compliance with par. (b) and ss. 16.855 (10m) (a), 16.87 (2) and 84.075 (1).

SECTION 95q. 16.75 (3s) of the statutes is created to read:

16.75 (3s) (a) If a sheltered workshop licensed by the department of industry, labor and human relations under s. 104.07 submits a qualified responsible competitive bid that is no more than 2% higher than the lowest responsible bid, or a competitive proposal that is no more than 2% higher than the most advantageous offer, the department shall award the order or contract to that sheltered workshop. If more than one sheltered workshop submits such a bid or proposal, the department shall award the order or contract to the one submitting the lowest bid or proposal. This subsection does not apply to purchases of printing and stationery.

SECTION 96. 16.75 (4) (a) 1 to 5 of the statutes are amended to read:

16.75 (4) (a) 1. Maintain a comprehensive ~~bidders~~ list of small state businesses which have demonstrated the capacity of providing materials, supplies, equipment or contractual services to the state;

2. Develop ways of simplifying specifications and terms so that they will not impose unnecessary administrative burdens on small state businesses which submit bids or proposals to the state;

3. Assist small state businesses in complying with state the state's competitive bidding and competitive proposal procedures;

4. Notify businesses on the list maintained under subd. 1 of office purchasing requests for which the businesses may wish to submit a ~~bid; and~~ or proposal.

5. By May 1 of each year, submit a report to the council on small and minority business opportunities which evaluates the performance of small Wisconsin businesses submitting bids or proposals to the state and makes recommendations for increased involvement of such businesses in ~~bidding~~ submitting competitive bids and proposals under this section.

SECTION 97. 16.75 (5) of the statutes is amended to read:

16.75 (5) The department of ~~administration~~ may require of bidders, persons making proposals under sub. (2m) or contractors such sureties as, in its judgment, are deemed advisable. ~~It and~~ may decide as to ~~the their~~ responsibility and competency ~~of such bidders and sureties.~~ A. The department may require a contractor to provide a bond furnished by a surety company authorized to do business in this state, for the proper performance of each contract may be required in the discretion of the department of administration.

SECTION 98. 16.75 (6) of the statutes is repealed and recreated to read:

16.75 (6) (a) Except with respect to purchases of printing and stationery, subs. (1) to (5) do not apply to the purchase of supplies, materials, equipment or contractual services from the federal government.

(b) If the secretary determines that it is in the best interest of this state to do so, he or she may waive the requirements of subs. (1) to (5) and may purchase supplies, materials, equipment or contractual services, other than printing and stationery, from another state or from any county, city, village, town or other governmental body in this state.

(c) If the secretary determines that it is in the best interest of this state to do so, he or she may, with the approval of the governor, waive the requirements of subs. (1) to (5) and may purchase supplies, material, equipment or contractual services, other than printing and stationery, from a private source. When the cost of the purchase is expected to exceed \$10,000, the department shall publish a class 2 notice under ch. 985 describing the materials, supplies, equipment or contractual services to be purchased, stating the intent to make the purchase from a private source without soliciting bids and stating the date on which the contract or purchase order will be awarded. The date shall be at least 7 days after the date of the last insertion.

(d) If the governor determines that it is in the best interest of this state to do so, he or she may issue a general waiver of the requirements of subs. (1) to (5) permitting the purchase of specified materials, supplies, equipment or contractual services, except printing and stationery, from a private source. A general waiver may be issued for any period up to one year. The governor may impose any necessary or appropriate condition or restriction on the waiver.

(f) The department shall keep a record of each individual or general waiver under pars. (b) to (e). The record shall be open to public inspection.

SECTION 99. 16.75 (8) of the statutes is amended to read:

16.75 (8) The department shall not purchase any product known to be manufactured or sold by any person or firm included on the list of labor law violators compiled by the department of industry, labor and human relations under s. 101.245. The secretary may waive this subsection if maintenance, repair or operating supplies are required to maintain systems or equipment which were purchased by the state from a person or firm included on the list prior to the date of inclusion on the list, or if the secretary finds that there exists an emergency which threatens the public health, safety or welfare and a waiver is necessary to meet the emergency. Each waiver shall be entered on the record specified in sub. (1).

SECTION 100. 16.755 (5) of the statutes is amended to read:

16.755 (5) ~~Annually, submit~~ Submit in its any report under s. 15.09 (7) ~~any its~~ recommendations regarding the matters described in subs. (1) to (4) to the governor and the legislature.

SECTION 101. 16.76 (title) and (1) of the statutes are amended to read:

**16.76 (title) Form of contracts; continuing agreements.** (1) All contracts for materials, supplies, equipment ~~and or~~ contractual services shall run to the state of Wisconsin, and shall be signed by the secretary or persons authorized by the department. ~~All contracts~~

~~shall contain a clause providing for arbitration of disputes between the state and the contractor regarding quality and quantity.~~

SECTION 102. 16.76 (2) of the statutes is amended to read:

16.76 (2) The department may enter into continuing agreements and flexible contracts in anticipation of the needs of agencies and municipalities, which provide for deliveries of specified articles under stated terms and conditions. Except as provided in s. 16.91 (1), no continuing agreements or flexible contracts may exceed one year's duration, but may be renewed twice for one year.

SECTION 103. 16.78 of the statutes is repealed.

SECTION 103m. 16.835 of the statutes is amended to read:

**16.835 Offices in capitol.** The office of the governor shall be located in the capitol. The attorney general, lieutenant governor, ~~and supreme court, state treasurer and secretary of state~~ shall each keep a room in the capitol. From the remaining capitol space not reserved for the use of the legislature, the department may assign additional rooms to be used by the attorney general, ~~state treasurer and secretary of state.~~

SECTION 104g. 16.855 (10m) of the statutes is created to read:

16.855 (10m) (a) In awarding construction contracts the department shall attempt to ensure that 5% of the total amount expended in each fiscal year is awarded to contractors and subcontractors which are minority businesses, as defined under s. 16.75 (3m) (a) 1. The department may award any contract to a minority business that submits a qualified responsible bid that is no more than 5% higher than the apparent low bid.

(b) Upon completion of any contract, the contractor shall report to the department any amount of the contract that was subcontracted to minority businesses.

(c) The department shall maintain and annually publish data on contracts awarded to minority businesses under this subsection and ss. 16.87 and 84.075.

~~SECTION 104j. 16.855 (13) (a) of the statutes is amended to read:~~

**Vetoed  
in Part**

~~16.855 (13) (a) A list of subcontractors and the amounts of their bids shall not be required to be submitted with the bid. The department may require the successful bidder to submit in writing the names of prospective subcontractors for the department's approval before the award of a contract to the prime contractor.~~

SECTION 104m. 16.855 (14) of the statutes is renumbered 16.855 (14) (a) and amended to read:

16.855 (14) (a) On all construction projects requiring the taking of bids under sub. (2), ~~separate bids shall be taken for a) general construction, b) plumbing, c) heating, ventilating and air conditioning and d) electrical.~~ The department may take a single bid or separate bids on any other division or further subdivision of the work it designates. Combination bids for such work may also be taken provided any bidder who submits a combined bid also submits separate bids for all of the divisions of work comprising the combined bid. Contracts shall be awarded according to the division of work selected for bidding and, except as provided in sub. (10m) (a), to the lowest qualified responsible bidder or bidders that result in the lowest total construction cost for the project.

SECTION 104n. 16.855 (14) (b) of the statutes is created to read:

16.855 (14) (b) The state is not liable to a prime contractor for damage from delay caused by another prime contractor if the department takes reasonable action to require the delaying prime contractor to comply with its contract. If the state is not liable under this paragraph, the delayed prime contractor may bring an action for damages against the delaying prime contractor.

SECTION 105. 16.855 (18) of the statutes is amended to read:

16.855 (18) This section shall not apply to restoration ~~and~~ or reconstruction of the state capitol building, historic structures at the old world Wisconsin site and at Heritage Hill state park when the department determines that a waiver of this section would serve the best interests of this state.

SECTION 105g. 16.87 (2) of the statutes is amended to read:

16.87 (2) A contract for engineering service, architectural service or environmental consultant service or a contract involving an expenditure of \$2,500 or more for construction work, or \$10,000 or more for limited trades work, to be done for or furnished to the state or a department, board, commission or officer of the state is exempt from the requirements of ss. 16.705 and 16.75. The department shall attempt to ensure that 5% of the total amount expended under this section in each fiscal year is paid to minority businesses, as defined under s. 16.75 (3m) (a) 1.

SECTION 105r. 16.89 (title) of the statutes is amended to read:

**16.89** (title) **Construction and services controlled by this chapter.**

SECTION 107. 16.959 (2) (a) of the statutes is repealed.

SECTION 108. 16.959 (2) (b) of the statutes is amended to read:

16.959 (2) (b) The department may make any anemometer ~~purchased under par. (a)~~ owned by it available for periods of up to 18 months to persons in the state interested in assessing the wind energy potential on their property. Each person who receives an anemometer through the loan program shall pay a fee of \$50.

~~SECTION 108d. 16.96 (3) of the statutes is renumbered 16.96 (3) (a).~~

~~SECTION 108m. 16.96 (3) (b) of the statutes is created to read:~~

~~16.96 (3) (b) Maintain and keep current throughout the decade the maps of congressional and legislative district boundaries received from the legislative reference bureau under s. 13.92 (1) (a) 6 and provide copies thereof to the elections board.~~

**Vetoed  
in Part**

SECTION 109. 16.966 of the statutes is repealed.

SECTION 110. 16.967 (3) of the statutes is repealed.

SECTION 111. 16.969 of the statutes is created to read:

**16.969 Council on criminal justice.** (1) **GENERAL DUTIES AND FUNCTIONS.** The council on criminal justice shall:

(a) Serve as the state planning agency under the juvenile justice and delinquency prevention act of 1974, P.L. 93-415.

(b) Collect from any state or local governmental entity information, data, reports, statistics or other material which is necessary to perform the council's duties and functions.

(c) Prepare a state comprehensive juvenile justice improvement plan on behalf of the governor. The plan shall be submitted to the joint committee on finance in accordance with s. 16.54 and to the appropriate standing committees of each house of the legislature as determined by the presiding officer of each house. The plan shall be updated periodically and shall be based on an analysis of the state's juvenile justice needs and problems.

(d) Recommend appropriate legislation in the criminal justice field to the governor and the legislature.

(e) Conduct evaluation studies involving programs and projects funded in whole or in part by the state aimed at reducing crime and delinquency and improving the administration of justice.

(f) Conduct other studies, evaluations, crime data analyses and reports to be submitted to the governor or the legislature as requested by the governor.

(g) Cooperate with and render technical assistance to state agencies and units of local government and public or private agencies relating to the criminal justice system.

(h) Apply for contracts or receive and expend for its purposes any appropriation or grant from the state, a political subdivision of the state, the federal government or any other source, public or private, in accordance with the statutes.

(i) Collect from any state or local governmental entity information, data, reports, statistics, or other material which is necessary to perform the council's duties and functions.

(2) CRIMINAL STATISTICS. (a) In this subsection:

1. "Law enforcement agency" means a governmental unit of one or more persons employed full time by the state or a political subdivision of the state for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority.

2. "Offense" means an act which is a felony, a misdemeanor or a violation of a city, county, village or town ordinance.

(b) The council on criminal justice shall:

1. Collect information concerning the number and nature of offenses known to have been committed in this state and such other information as may be useful in the study of crime and the administration of justice. The council may determine any other information to be obtained regarding crime statistics. The information shall include such data as may be requested by the federal bureau of investigation under its system of uniform crime reports for the United States.

2. Furnish all reporting officials with forms and instructions which specify the nature of the information required under subd. 1, the time it is to be forwarded, the method of classifying and any other matters which facilitate collection and compilation.

3. Make available all statistical information obtained to the governor and the legislature.

4. Prepare and publish reports and releases, at least once a year, containing the statistical information gathered under this paragraph and presenting an accurate picture of crime in this state.

5. Cooperate with other agencies of this state, the crime information agencies of other states and the uniform crime reports system of the federal bureau of investigation in developing and conducting an interstate, national and international system of criminal statistics.

(c) All persons in charge of law enforcement agencies shall supply the council with the information described in par. (b) 1 on the basis of the forms and instructions to be supplied by the council under par. (b) 2.

(3) EXECUTIVE DIRECTOR AND STAFF. The governor shall appoint an executive director who shall serve at the pleasure of the governor. The executive director shall appoint all other staff. To the extent possible, staff vacancies shall be filled by persons with recall rights from layoff from the council in existence prior to the effective date of this section (1983).

SECTION 111m. 18.08 (3) and (5) of the statutes are amended to read:

18.08 (3) Moneys of the capital improvement fund may be commingled only for the purpose of investment with other public funds, but they shall be invested only as provided in s. 25.17 (3) (b). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund and shall, subject to subs. (5) and (6), become available for any of the purposes under sub. (2). ~~However~~ Before October 1, 1983, earnings from that portion created by self-amor-

tizing projects may be transferred by resolution of the commission to the bond security and redemption fund to be used as provided in s. 18.09 (4).

(5) ~~On July 29, 1979, there shall lapse into~~ Before October 31, 1983, there shall be transferred to the bond security and redemption fund \$3,693,100 in the interest earnings accrued to the capital improvement fund before October 1, 1983 due to the investment of moneys resulting from the contracting of public debt under the authority of s. 20.866 (2) (u), (ug), (ur), (us) and (ut) - Such to (uv). These funds shall be used for meeting periodic principal, interest and premiums due, if any, on principal repayment and interest payments required from the transportation fund. ~~Thereafter, all investment earnings accruing to the capital improvement fund shall continue in that fund to be available for the purposes provided in this chapter on this public debt.~~

SECTION 111n. 18.08 (6) of the statutes is created to read:

18.08 (6) Before October 31, 1983, there shall be transferred to the bond security and redemption fund the interest earnings accrued to the capital improvement fund before October 1, 1983, due to the investment of moneys from the contracting of public debt under s. 20.866 (2) (tm) to (to). These funds shall be used for meeting periodic principal, interest and premiums due, if any, on principal repayment and interest payments required from the general fund on this public debt.

SECTION 111s. 19.42 (10) (i) of the statutes is created to read:

19.42 (10) (i) A municipal judge.

SECTION 111t. 19.42 (13) (h) of the statutes is created to read:

19.42 (13) (h) A municipal judge.

SECTION 112. 19.45 (9m) of the statutes is amended to read:

19.45 (9m) No state public official or state employe who is employed in a state position full-time at an annual salary in excess of ~~two thirds of the midpoint of the current salary for executive salary group 2~~ the office of legislator established under s. 20.923 (2) may hold any other position from which he or she receives income from the state exceeding \$5,000 per year. No department may employ any person in violation of this subsection. Every department shall annually check to assure that no employe of the department violates this subsection. Any employe who is found in violation of this subsection shall be required to accept a termination or reduction in salary sufficient to bring the employe into compliance. This provision does not apply to those state public officials or state employes who accept other state employment during a period they are not receiving a full-time salary.

SECTION 112m. 19.47 (2) of the statutes is amended to read:

19.47 (2) The board and the judicial commission shall jointly appoint an executive director administrator outside the classified service to serve at the pleasure of the board, and commission. The administrator may be appointed or removed only by a majority of the members of the board and a majority of the members of the judicial commission present and voting at separate meetings. The administrator shall appoint such other personnel as he or she requires to carry out its the duties of the board and judicial commission. The administrator shall serve as executive director of the board. The executive director shall perform such duties as the board assigns to him or her in the administration of this subchapter.

SECTION 113. 20.001 (2) (dm) of the statutes is created to read:

20.001 (2) (dm) *Segregated fund revenues — local.* “Segregated fund revenues — local”, indicated by the abbreviation “SEG-L” in s. 20.005, consist of revenues which are received from a local unit of government or other source for transportation purposes and are deposited in the transportation fund under s. 25.40 (1) (e).

SECTION 114. 20.001 (3) (b) of the statutes is amended to read:

20.001 (3) (b) *Biennial appropriations.* Biennial appropriations, indicated by the abbreviation “B” in s. 20.005, are appropriations which are expendable only for the biennium for which made. Dollar amounts shown in the schedule under s. 20.005 represent the most reliable estimates of the amounts which will be expended in each fiscal year, the total for both years being the biennial appropriation. For accounting purposes, ~~for computation of the surplus at the close of the fiscal year~~ and for the administration of s. 20.002 (1), the appropriation for the first year of a biennium shall be the sum of the expenditures for such year plus the outstanding encumbrances at the close of such year; the unencumbered balance at the close of the first year shall constitute the appropriation for the 2nd year of the biennium. At the end of the biennium the unencumbered balances shall revert to the fund from which appropriated unless the appropriation is a program revenue or program revenue-service appropriation and indicates the moneys are to be credited to the account for that appropriation, in which case all unencumbered balances shall be retained in that appropriation account. Biennial appropriations are indicated in ss. 20.100 to 20.899 by the introductory phrase “biennially”.

SECTION 115. 20.001 (3) (c) of the statutes is amended to read:

20.001 (3) (c) *Continuing appropriations.* Continuing appropriations, indicated by the abbreviation “C” in s. 20.005, are appropriations which are expendable until fully depleted or repealed by subsequent action of the legislature. ~~The appropriations for any given year shall consist of the previous fiscal year ending balance together with the revenues received or new appropriation authority granted under ss. 20.100 to 20.899 during the current fiscal year~~ amount of a sum certain continuing appropriation for a given fiscal year consists of the balance in the appropriation account at the end of the previous fiscal year, if any, together with any moneys appropriated under s. 20.005 for that fiscal year. The amount of a continuing appropriation from program revenues or segregated revenues from program receipts consists of the balance in the appropriation account at the end of the previous fiscal year, if any, together with any revenues received during the fiscal year that are directed by law to be credited to the appropriation account. Dollar amounts shown in the schedule under s. 20.005 for a continuing appropriation from program revenues or segregated revenues from program receipts represent the most reliable estimates of the amounts which will be expended during any fiscal year, but shall not be limiting. Except as provided in ss. 20.002 (11) and 20.903 (2), expenditures made in accordance with ch. 16 under a continuing appropriation from program revenues or segregated revenues from program receipts are limited only by the available revenues from which the appropriation is made. Continuing appropriations are indicated in ss. 20.100 to 20.899 either by the introductory phrase, “as a continuing appropriation” or by the introductory phrase “all moneys received from”.

SECTION 116. 20.002 (7) of the statutes is amended to read:

20.002 (7) *APPROPRIATION DETAIL.* The detailed explanation of the appropriations made to the several state agencies, including specific program purposes and restrictions, is contained in ss. 20.100 to 20.899. Except as otherwise provided in ss. 20.100 to 20.899, whenever the amounts in the schedule for a single appropriation are shown in 2 or more lines the portions of the total amount shown on separate lines are for informational purposes only and are not limiting. All appropriations shall be made from the general fund, unless otherwise indicated. Whenever the text in ss. 20.100 to 20.899 refers to “schedule” it means the appropriation schedule under s. 20.005 ~~(2)~~ (3).

SECTION 117. 20.003 (1) of the statutes is repealed.

SECTION 118. 20.003 (3) (c) 7 of the statutes is created to read:

20.003 (3) (c) 7. Appropriations from segregated revenues — local shall be shown with a 2nd paragraph letter of “v”.

**Vetoed in Part** SECTION 118m. 20.004 (2) of the statutes is renumbered 20.004 (3).  
SECTION 118n. 20.004 (2) of the statutes is created to read:

~~20.004 (2) Any amendment to an executive budget bill, as defined in s. 16.47, and all other legislative proposals except executive budget bills shall specify the amount by which any continuing or sum sufficient appropriation, as defined in s. 20.001 (3) (c) and (d), which is affected by the amendment or legislative proposal is to be increased or decreased. In drafting such proposals, the legislative reference bureau shall specify for each such appropriation which will be affected by the amendment or legislative proposal the amount of the increase or decrease unless the requester of the amendment or other legislative proposal specifies that no increase or decrease in the affected appropriations is to occur as a result of the amendment or proposal, in which case the amendment or proposal shall so specify and shall include any necessary statutory provision to so limit the affected appropriations.~~

**Vetoed  
in Part**

SECTION 119. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds from July 1, 1983, to June 30, 1985, is summarized as follows: [See Figure 20.005 (1) following]

**Figure: 20.005 (1)**

**GENERAL FUND SUMMARY \***

	1983-84 -----	1984-85 -----
<b>REVENUES</b>		
Opening Balance, July 1	\$ -304,191,700	\$ 39,543,700
Estimated Taxes	4,351,617,100	4,523,593,400
Estimated Departmental Revenues	33,205,300	32,058,000
	-----	-----
Total Available	\$ 4,080,630,700	\$ 4,595,195,100
<b>APPROPRIATIONS</b>		
Gross Appropriations	\$ 4,041,103,500	\$ 4,536,755,100
Less Estimated Lapses	-21,647,100	-35,623,400
Compensation Reserves	21,630,600	49,562,200
	-----	-----
Net Appropriations and Reserves	\$ 4,041,087,000	4,550,693,900
<b>BALANCES</b>		
Gross Balance	\$ 39,543,700	\$ 44,501,200
Less Required Statutory Balance	0	-42,889,300
	-----	-----
Net Balance, June 30	\$ 39,543,700	\$ 1,611,900

\* Figure 20.005 (1) does not reflect the effect of partial vetoes by the Governor, or of subsequent veto overrides by the Legislature (if any).

**SUMMARY OF APPROPRIATIONS - ALL FUNDS \***

	1983-84	1984-85
General Purpose Revenue	\$ 4,041,103,500	\$ 4,536,755,100
Federal Revenue	(1,924,194,800)	(1,975,360,400)
Program	1,624,920,100	1,691,760,400
Segregated	299,274,700	283,600,000
Program Revenue	(866,009,400)	(906,308,700)
State	766,048,000	796,387,000
Service	99,961,400	109,921,700
Segregated Revenue	(777,406,900)	(803,756,600)
State	749,512,900	776,982,700
Local	20,652,900	19,210,000
Service	7,241,100	7,563,900
<b>GRAND TOTAL</b>	<b>\$ 7,608,714,600</b>	<b>\$ 8,222,180,800</b>

SECTION 120. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following tabulation sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

**Figure: 20.005 (2) (a)**

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS, 1983-85 FISCAL BIENNIUM**  
**SOURCE AND PURPOSE** **1983-85 BIENNIUM**

*General obligations*

Agriculture	
Animal waste water pollution	\$ 1,000,000
State fair park	-9,000,000
Building commission	
Other public purposes	29,625,000
Capital equipment acquisition	14,500,000
Housing state agencies	200,000
Refunding tax-supported	
building corporation debt	-9,816,500
Refunding self-amortizing	
building corporation debt	-4,195,400
Health and social services	
Correctional facilities	16,317,800
Mental health facilities	223,600
Historical society - museum remodeling	1,482,000
Military affairs - armory construction	1,000,000
Natural resources	
Pollution abatement and sewage collection	
facilities; point source	195,836,600
Pollution abatement and sewage collection	
facilities; combined sewer overflow	80,000,000
Recycling and resource recovery loan	
program	44,000,000
Land acquisition	8,750,000
Recreation development	1,350,000
General tax-supported administrative	
facilities	-190,000
Segregated revenue-supported facilities	-159,300
University of Wisconsin system	
Academic facilities	30,895,500
Self-amortizing facilities	-13,180,000
Veterans affairs - mortgage loans	<u>100,000,000</u>

TOTAL General obligation bonds	\$488,639,300
<i>State-issued revenue obligations</i>	
Transportation	\$187,900,000
Student loans	<u>110,000,000</u>
TOTAL State-issued revenue obligation bonds	\$297,900,000
<i>Authority-issued revenue obligations</i>	
Wisconsin housing finance authority	\$ 99,400,000
Wisconsin health facilities authority	<u>-99,400,000*</u>
TOTAL Authority-issued revenue obligations	\$ -0-
GRAND TOTAL Bonding authority modifications	\$786,539,300

\* In addition to this bonding authority reduction the Wisconsin health facilities authority is authorized to: (1) issue bonds for all financially feasible projects that have received approvals from the department of health and social services under ch. 150; and (2) issue bonds to refinance all outstanding debt of any health-related facility subject to ch. 150 provided the reduction in the health facility's interest costs is reflected in its rates.

Figure: 20.005 (2) (b)

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 1983-84 AND 1984-85			
<i>STATUTE, AGENCY and PURPOSE</i>	<i>SOURCE</i>	<i>1983-84</i>	<i>1984-85</i>
<i>20.115 Agriculture, trade and consumer protection, department of</i>			
(7) (e) Animal waste water pollution	GPR	0	40,000
<i>20.225 Educational communications board</i>			
(1) (c) Educational communications facilities	GPR	285,300	276,500
<i>20.245 Historical society</i>			
(1) (e) Historical society facilities	GPR	282,800	293,000
<i>20.250 Medical college of Wisconsin</i>			
(1) (e) Medical college of Wisconsin	GPR	675,400	654,000
<i>20.255 Public instruction, department</i>			
(1) (d) Public instruction of deaf and visually handicapped	GPR	449,300	434,400
<i>20.285 University of Wisconsin system</i>			
(1) (d) University academic facilities	GPR	42,373,700	44,596,900
(1) (da) University academic facilities, building corp.	GPR	7,906,500	7,906,500
<i>20.370 Natural resources, department of</i>			
(1) (kc) Resource acquisition and development	GPR	5,530,300	6,195,900
(1) (kd) Olympic ice rink, building corp.	GPR	35,400	35,400
(4) (jb) Recreational boating	GPR	173,500	166,900
(4) (jc) Point source pollution abatement	GPR	34,557,600	53,042,200
(4) (jd) Combined sewer overflow facilities	GPR	522,600	2,082,700
(4) (je) Recycling and resource recovery loan program	GPR	0	0
(8) (Lb) Administrative facilities	GPR	456,500	467,500
<i>20.435 Health and social services, department of</i>			
(2) (ee) Mental health facilities	GPR	4,407,200	4,731,700
(2) (ef) Mental health facilities,			

	building corp.	GPR	1,335,600	1,335,600
(3)	(e) Correctional facilities	GPR	4,562,700	8,544,100
(3)	(ef) Correctional facilities, building corp.	GPR	271,500	271,500
(5)	(e) Workshop for the blind	GPR	27,600	26,700
<b>20.455 Justice, department of</b>				
(2)	(cm) State crime lab	GPR	123,700	391,300
<b>20.465 Military affairs, department of</b>				
(1)	(d) National guard facilities	GPR	199,300	289,600
<b>20.485 Veterans affairs, department of</b>				
(1)	(e) Veterans home, building corp.	GPR	22,200	22,200
(1)	(f) Veterans home	GPR	161,000	168,600
<b>20.867 Building commission</b>				
(1)	(b) Capitol and executive residence	GPR	630,200	610,000
(3)	(a) Unallocated Debt Service	GPR	412,500	3,712,800
(3)	(b) Other public purposes	GPR	<u>90,500</u>	<u>87,700</u>
TOTAL General purpose revenue debt service			105,492,900	136,383,700
<b>20.115 Agriculture, trade and consumer protection, department of</b>				
(5)	(j) State fair park	PR	554,400	543,800
<b>20.285 University of Wisconsin system</b>				
(1)	(gb) University self-amortizing facilities	PR	5,826,700	6,401,200
(1)	(gc) University self-amortizing facilities, building corp.	PR	8,895,200	8,895,200
<b>20.867 Building commission</b>				
(1)	(h) State office buildings, building corp.	PR	137,000	137,000
(1)	(i) State office buildings	PR	7,712,200	9,225,600
(3)	(g) Unallocated debt service	PR	-0-	-0-
(3)	(i) Capital equipment	PR	<u>435,000</u>	<u>4,386,300</u>
TOTAL Program revenue debt service			23,560,500	29,589,100
<b>20.370 Natural resources, department of</b>				
(8)	(Ls) Administrative facilities	SEG	420,400	470,400
<b>20.395 Transportation, department of</b>				
(6)	(aq) Transportation highways program	SEG	21,422,100	24,324,800
(6)	(ar) Transportation administrative facilities	SEG	850,200	1,000,300
<b>20.485 Veterans affairs, department of</b>				
(3)	(t) Veterans home mortgage loans	SEG	<u>124,403,600</u>	<u>129,420,600</u>
TOTAL Segregated revenue debt service			147,096,300	155,216,100
GRAND TOTAL All debt service			276,149,700	321,188,900

SECTION 121. 20.005 (3) of the statutes is created to read:

20.005 (3) APPROPRIATIONS. The following tabulation lists all appropriations authorized from annual and biennial appropriations and anticipated expenditures from sum sufficient and continuing appropriations for the programs and other purposes indicated. All appropriations are authorized from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
<b>Commerce</b>				
<b>20.115 Agriculture, trade and consumer protection, department of</b>				
<b>(1) FOOD AND TRADE REGULATION</b>				
(a) General program operations	GPR	A	0	0
Food Inspection	GPR	A	3,056,900	3,065,700
Plant Industry Services	GPR	A	396,500	449,400
Trade and Consumer Protection	GPR	A	1,314,900	1,318,500
General Laboratory Services	GPR	A	835,300	837,000
NET APPROPRIATION			5,603,600	5,670,600
(b) Meat and poultry inspection	GPR	A	1,619,200	1,627,100
(c) Warehouse keeper and grain dealer regulation	GPR	A	156,000	156,700
(g) Related services	PR	A	56,000	56,000
(h) Fertilizer research assessments	PR	C	160,000	160,000
(ha) Liming material research funds	PR	A	8,000	8,000
(i) Pesticide certification and regulation	PR	A	257,200	257,200
(j) Weights and measures inspection	PR	A	147,300	148,400
(k) Dairy trade regulation	PR	A	131,600	132,000
(L) Weather modification regulation	PR	A	500	500
(m) Federal funds	PR-F	C	2,149,300	2,157,200
(q) Automobile repair regulation	SEG	A	190,600	190,600
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			7,378,800	7,454,400
PROGRAM REVENUE			2,909,900	2,919,300
FEDERAL	(		2,149,300)	( 2,157,200)
OTHER	(		760,600)	( 762,100)
SEGREGATED FUNDS			190,600	190,600
OTHER	(		190,600)	( 190,600)
TOTAL-ALL SOURCES			10,479,300	10,564,300
<b>(2) ANIMAL AND PLANT HEALTH SERVICES</b>				
(a) General program operations	GPR	A	0	0
Animal Health Services	GPR	A	2,538,700	2,546,900
Plant Health Services	GPR	A	620,300	621,200
NET APPROPRIATION			3,159,000	3,168,100
(b) Animal disease indemnities	GPR	S	95,000	95,000
(g) Related services	PR	A	588,900	597,500
(h) Sale of supplies	PR	A	32,500	32,500
(hm) Dead animal regulation	PR	C	7,500	7,500
(i) Mink research assessments	PR	A	3,000	3,000
(j) Dog licenses, rabies control and related services	PR	A	30,000	30,000
(m) Federal funds	PR-F	C	169,500	169,500
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,254,000	3,263,100
PROGRAM REVENUE			831,400	840,000
FEDERAL	(		169,500)	( 169,500)
OTHER	(		661,900)	( 670,500)
TOTAL-ALL SOURCES			4,085,400	4,103,100
<b>(3) MARKETING SERVICES</b>				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(a) General program operations	GPR	A	0	0
Agricultural Services	GPR	A	912,600	912,600
Management Information Services	GPR	A	591,200	591,200
NET APPROPRIATION			1,503,800	1,503,800
(g) Related services	PR	A	691,700	691,700
(h) Grain regulation--Milwaukee	PR	A	1,484,500	1,484,500
(i) Marketing orders and agreements	PR	C	127,100	127,100
(j) Grain regulation--Superior	PR	A	4,382,100	4,382,100
(k) Potato board; assessments	PR	A	112,900	112,900
(km) Potato board; gifts and grants	PR	C	8,000	8,000
(m) Federal funds	PR-F	C	23,600	23,600
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,503,800	1,503,800
PROGRAM REVENUE			6,829,900	6,829,900
FEDERAL	(		23,600)	23,600)
OTHER	(		6,806,300)	6,806,300)
TOTAL--ALL SOURCES			8,333,700	8,333,700
<b>(4) AGRICULTURAL ASSISTANCE</b>				
(a) Aid to Wisconsin livestock breeders association	GPR	A	28,000	28,000
(b) Aids to county and district fairs	GPR	A	368,500	368,500
(e) Premium aids to world dairy expo, inc.	GPR	A	50,000	50,000
(fm) Dairy promotion	GPR	B	10,000	10,000
(fn) Commodity promotion	GPR	B	15,000	15,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			471,500	471,500
TOTAL--ALL SOURCES			471,500	471,500
<b>(5) STATE FAIR PARK</b>				
(h) State fair operations	PR	A	5,393,200	5,596,300
(i) State fair capital improvement	PR	C	224,000	224,000
(j) State fair principal repayment and interest	PR	S	554,400	543,800
(5) PROGRAM TOTALS				
PROGRAM REVENUE			6,171,600	6,364,100
OTHER	(		6,171,600)	6,364,100)
TOTAL--ALL SOURCES			6,171,600	6,364,100
<b>(7) LAND CONSERVATION AND FARMLAND PRESERVATION</b>				
(a) General program operations	GPR	A	353,400	353,600
(b) Preliminary mapping; agricultural land preservation	GPR	B	10,000	15,000
(c) Soil and water conservation project aids	GPR	A	688,000	688,000
(d) Erosion control program	GPR	C	375,000	375,000
(e) Debt service-animal waste water pollution bonds	GPR	S	0	40,000
(g) Agricultural impact statements	PR	C	32,900	32,900
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,426,400	1,471,600
PROGRAM REVENUE			32,900	32,900
OTHER	(		32,900)	32,900)
TOTAL--ALL SOURCES			1,459,300	1,504,500
<b>(8) CENTRAL ADMINISTRATIVE SERVICES</b>				
(a) General program operations	GPR	A	1,307,000	1,307,000
(h) Sale of supplies	PR	A	12,300	12,300

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
(8) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		1,307,000	1,307,000
PROGRAM REVENUE		12,300	12,300
OTHER	(	12,300)	12,300)
TOTAL-ALL SOURCES		1,319,300	1,319,300
20.115 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		15,341,500	15,471,400
PROGRAM REVENUE		16,788,000	16,998,500
FEDERAL	(	2,342,400)	2,350,300)
OTHER	(	14,445,600)	14,648,200)
SEGREGATED FUNDS		190,600	190,600
OTHER	(	190,600)	190,600)
TOTAL-ALL SOURCES		32,320,100	32,660,500

**20.124 Banking, office of the commissioner of**

**(1) SUPERVISION OF BANKS AND**

**RELATED FINANCIAL INSTITUTIONS**

(a) Losses on public deposits	GPR	S	0	0
(g) General program operations	PR	A	2,964,400	2,988,400
(h) Unclaimed funds	PR	C	0	0
(u) State deposit fund	SEG	S	0	0

**20.124 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		2,964,400	2,988,400
OTHER	(	2,964,400)	2,988,400)
SEGREGATED FUNDS		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		2,964,400	2,988,400

**20.141 Credit unions, office of the commissioner of**

**(1) SUPERVISION OF CREDIT UNIONS**

(g) General program operations	PR	A	897,600	904,600
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**20.141 DEPARTMENT TOTALS**

PROGRAM REVENUE		897,600	904,600
OTHER	(	897,600)	904,600)
TOTAL-ALL SOURCES		897,600	904,600

**20.143 Development, department of**

**(1) ECONOMIC AND COMMUNITY**

**DEVELOPMENT**

(a) General program operations	GPR	A	1,232,500	1,221,200
(b) Economic development promotion	GPR	B	80,600	81,600
(c) Planning aids	GPR	B	100,000	100,000
(d) Labor training grants	GPR	B	450,000	450,000
(e) Technology development grants	GPR	B	1,000,000	1,000,000
(g) Gifts and grants	PR	C	3,000	3,000
(m) Federal aid, state operations	PR-F	C	364,300	364,300
(n) Federal aid, local assistance	PR-F	C	0	0
(o) Federal aid, individuals and organizations	PR-F	C	0	0
(x) Industrial building construction loan fund	SEG	C	0	0

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES		2,863,100	2,852,800
PROGRAM REVENUE		367,300	367,300
FEDERAL	(	364,300)	364,300)
OTHER	(	3,000)	3,000)
SEGREGATED FUNDS		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		3,230,400	3,220,100

**(2) TOURISM DEVELOPMENT AND**

**PROMOTION**

(a) General program operations	GPR	A	1,091,800	1,102,600
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(b) Tourism marketing	GPR	B	789,200	789,200
(c) Winter tourism marketing	GPR	B	125,000	125,000
(g) Gifts and grants	PR	C	0	0
(m) Federal aid, state operations	PR-F	C	0	0
(n) Federal aid, local assistance	PR-F	C	0	0
(o) Federal aid, individuals and organizations	PR-F	C	0	0
(2) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			2,006,000	2,016,800
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			2,006,000	2,016,800
<b>(3) HOUSING ASSISTANCE</b>				
(a) General program operations	GPR	A	663,100	668,900
(d) Housing rehabilitation--aids to localities	GPR	C	0	0
(e) Housing rehabilitation--aids to organizations	GPR	C	0	0
(ea) Preliminary mapping; agricultural land preservation	GPR	B	0	0
(f) Housing loans--aids to localities	GPR	A	0	0
(fa) Housing loans--aids to organizations	GPR	A	0	0
(g) Gifts, grants and program services	PR	C	3,700	3,700
(h) Plat review	PR	A	135,200	135,200
(j) Housing loans--aids to localities	PR	C	30,000	30,000
(L) Housing loans--aids to organizations	PR	C	30,000	30,000
(Lm) Housing loans receipts	PR	C	0	0
(m) Federal aid, state operations	PR-F	C	34,500	34,500
(n) Federal aid, local assistance	PR-F	C	0	0
(o) Federal aid, individuals and organizations	PR-F	C	520,000	520,000
(w) Housing project revenue obligation repayment	SEG	C	0	0
(3) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			663,100	668,900
PROGRAM REVENUE			753,400	753,400
FEDERAL	(		554,500)	( 554,500)
OTHER	(		198,900)	( 198,900)
SEGREGATED FUNDS			0	0
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			1,416,500	1,422,300
<b>(4) EXECUTIVE AND ADMINISTRATIVE SERVICES</b>				
(a) General program operations	GPR	A	1,542,500	1,560,300
(g) Gifts, grants and program services	PR	C	0	0
(h) Orange book	PR	C	0	5,000
(k) Supporting services	PR-S	C	26,000	28,100
(m) Federal aid, state operations	PR-F	C	89,000	89,000
(n) Federal aid, local assistance	PR-F	C	0	0
(o) Federal aid, individuals and organizations	PR-F	C	0	0
(4) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			1,542,500	1,560,300
PROGRAM REVENUE			115,000	122,100
FEDERAL	(		89,000)	( 89,000)
OTHER	(		0)	( 5,000)
SERVICE	(		26,000)	( 28,100)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
TOTAL-ALL SOURCES		1,657,500	1,682,400
20.143 DEPARTMENT		TOTALS	
GENERAL PURPOSE REVENUES		7,074,700	7,098,800
PROGRAM REVENUE		1,235,700	1,242,800
FEDERAL	(	1,007,800)	(1,007,800)
OTHER	(	201,900)	(206,900)
SERVICE	(	26,000)	(28,100)
SEGREGATED FUNDS		0	0
OTHER	(	0)	(0)
TOTAL-ALL SOURCES		8,310,400	8,341,600

**20.145 Insurance, office of the commissioner of**

**(1) SUPERVISION OF THE INSURANCE INDUSTRY**

(g) General program operations	PR	A	2,953,200	3,032,600
(m) Federal funds	PR-F	C	0	0
(1) PROGRAM			TOTALS	
PROGRAM REVENUE			2,953,200	3,032,600
FEDERAL	(	0)	(0)	
OTHER	(	2,953,200)	(3,032,600)	
TOTAL-ALL SOURCES			2,953,200	3,032,600

**(2) PATIENTS COMPENSATION FUND**

(u) Administration	SEG	A	163,000	168,300
(v) Operations and benefits	SEG	C	5,000,000	5,500,000
(2) PROGRAM			TOTALS	
SEGREGATED FUNDS			5,163,000	5,668,300
OTHER	(	5,163,000)	(5,668,300)	
TOTAL-ALL SOURCES			5,163,000	5,668,300

**(3) LOCAL GOVERNMENT PROPERTY**

**INSURANCE FUND**

(u) Administration	SEG	A	171,500	172,000
(v) Operations and benefits	SEG	C	1,701,500	1,276,500
(3) PROGRAM			TOTALS	
SEGREGATED FUNDS			1,873,000	1,448,500
OTHER	(	1,873,000)	(1,448,500)	
TOTAL-ALL SOURCES			1,873,000	1,448,500

**(4) STATE LIFE INSURANCE FUND**

(u) Administration	SEG	A	207,500	208,800
(v) Operations and benefits	SEG	C	1,155,000	1,255,000
(4) PROGRAM			TOTALS	
SEGREGATED FUNDS			1,362,500	1,463,800
OTHER	(	1,362,500)	(1,463,800)	
TOTAL-ALL SOURCES			1,362,500	1,463,800

**(6) INSURANCE SECURITY**

(u) Insurance security fund	SEG	C	0	0
(v) Temporary worker's compensation insurance fund	SEG	C	0	0
(6) PROGRAM			TOTALS	
SEGREGATED FUNDS			0	0
OTHER	(	0)	(0)	
TOTAL-ALL SOURCES			0	0

**(7) HEALTH INSURANCE RISK SHARING**

**PLAN ADMINISTRATION**

(u) Administration	SEG	C	169,800	194,100
(7) PROGRAM			TOTALS	
SEGREGATED FUNDS			169,800	194,100
OTHER	(	169,800)	(194,100)	
TOTAL-ALL SOURCES			169,800	194,100
20.145 DEPARTMENT			TOTALS	
PROGRAM REVENUE			2,953,200	3,032,600
FEDERAL	(	0)	(0)	
OTHER	(	2,953,200)	(3,032,600)	
SEGREGATED FUNDS			8,568,300	8,774,700

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
OTHER	(	8,568,300)	( 8,774,700)
TOTAL-ALL SOURCES		11,521,500	11,807,300

**20.155 Public service commission**

**(1) REGULATION OF PUBLIC UTILITIES**

(g) Utility regulation	PR A	5,955,800	5,837,600
(m) Federal funds	PR-F C	72,500	72,500
20.155 DEPARTMENT TOTALS			
PROGRAM REVENUE		6,028,300	5,910,100
FEDERAL	(	72,500)	( 72,500)
OTHER	(	5,955,800)	( 5,837,600)
TOTAL-ALL SOURCES		6,028,300	5,910,100

**20.165 Regulation and licensing, department of**

**(1) PROFESSIONAL REGULATION**

(g) General program operations	PR A	4,215,000	4,233,600
(m) Federal funds	PR-F C	0	0
20.165 DEPARTMENT TOTALS			
PROGRAM REVENUE		4,215,000	4,233,600
FEDERAL	(	0)	( 0)
OTHER	(	4,215,000)	( 4,233,600)
TOTAL-ALL SOURCES		4,215,000	4,233,600

**20.175 Savings and loan, office of the commissioner of**

**(1) SUPERVISION OF SAVINGS AND**

**LOAN ASSOCIATIONS**

(g) General program operations	PR A	744,900	757,600
20.175 DEPARTMENT TOTALS			
PROGRAM REVENUE		744,900	757,600
OTHER	(	744,900)	( 757,600)
TOTAL-ALL SOURCES		744,900	757,600

**20.185 Securities, office of the commissioner of**

**(1) SECURITIES AND FRANCHISE**

**INVESTMENT REGULATION**

(g) General program operations	PR A	1,056,900	1,063,700
(m) Federal funds	PR-F C	0	0
20.185 DEPARTMENT TOTALS			
PROGRAM REVENUE		1,056,900	1,063,700
FEDERAL	(	0)	( 0)
OTHER	(	1,056,900)	( 1,063,700)
TOTAL-ALL SOURCES		1,056,900	1,063,700

Commerce

**FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES		22,416,200	22,570,200
PROGRAM REVENUE		36,884,000	37,131,900
FEDERAL	(	3,422,700)	( 3,430,600)
OTHER	(	33,435,300)	( 33,673,200)
SERVICE	(	26,000)	( 28,100)
BOND REVENUE		0	0
SEGREGATED FUNDS		8,758,900	8,965,300
FEDERAL	(	0)	( 0)
OTHER	(	8,758,900)	( 8,965,300)
SERVICE	(	0)	( 0)
LOCAL	(	0)	( 0)
TOTAL-ALL SOURCES		68,059,100	68,667,400

**Education**

**20.215 Arts board**

**(1) SUPPORT OF ARTS PROJECTS**

(a) General program operations	GPR A	244,400	244,400
(b) State aid for the arts	GPR A	563,900	713,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(c) Portraits of governors	GPR	B	0	10,000
(g) Gifts and grants; state operations	PR	C	1,500	1,500
(h) Gifts and grants; aids to individuals and organizations	PR	C	0	0
(m) Federal grants; state operations	PR-F	C	99,700	99,700
(o) Federal grants; aids to individuals and organizations	PR-F	C	437,000	587,000
2 0 . 2 1 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			808,300	968,300
PROGRAM REVENUE			538,200	688,200
FEDERAL			( 536,700) (	686,700)
OTHER			( 1,500) (	1,500)
TOTAL-ALL SOURCES			1,346,500	1,656,500

**20.225 Educational communications board**

**(1) INSTRUCTIONAL TECHNOLOGY**

(a) General program operations	GPR	A	2,630,700	2,652,900
(b) Utilities and heating	GPR	A	556,300	608,200
(c) Principal repayment and interest	GPR	S	285,300	276,500
(f) Programming	GPR	A	1,484,000	1,508,500
(g) Gifts and grants	PR	C	2,859,100	2,871,300
(h) Instructional material	PR	A	113,400	122,500
(m) Federal grants	PR-F	C	80,000	80,000
2 0 . 2 2 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			4,956,300	5,046,100
PROGRAM REVENUE			3,052,500	3,073,800
FEDERAL			( 80,000) (	80,000)
OTHER			( 2,972,500) (	2,993,800)
TOTAL-ALL SOURCES			8,008,800	8,119,900

**20.235 Higher educational aids board**

**(1) STUDENT SUPPORT ACTIVITIES**

(b) Tuition grants	GPR	A	11,052,500	11,207,300
(c) Loan forgiveness for critical manpower occupations	GPR	S	150,000	100,000
(d) Dental education contract	GPR	A	1,703,100	1,754,200
(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	0	0
(fb) Indian student assistance	GPR	A	940,300	976,400
(fe) Wisconsin higher education grants	GPR	A	10,288,700	11,472,400
Applied receipts	GPR	C	0	0
NET APPROPRIATION			10,288,700	11,472,400
(g) Student loans	PR	A	0	0
(gn) Medical student loans	PR	A	0	0
(i) Gifts and grants	PR	C	0	0
(m) Federal aid; grants	PR-F	C	0	0
(n) Federal aid; grants overdraft	PR-F	C	2,100,000	0
(no) Federal aid; aids to individuals and organizations	PR-F	C	1,535,600	1,535,600
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			24,134,600	25,510,300
PROGRAM REVENUE			3,635,600	1,535,600
FEDERAL			( 3,635,600) (	1,535,600)
OTHER			( 0) (	0)
TOTAL-ALL SOURCES			27,770,200	27,045,900

**(2) ADMINISTRATION**

(aa) General program operations	GPR	A	0	0
(ba) Student loan interest	GPR	S	125,000	125,000
(bb) Student loan interest, loans sold or conveyed	GPR	S	0	0
(bc) Write-off of uncollectible				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
student loans	GPR	A	0	0
(ga) Student interest payments	PR	C	300,000	300,000
(gb) Student interest payments, loans sold or conveyed	PR	C	0	0
(ha) Medical loan collections, interest and principal	PR	C	0	0
(hb) Centralized lender collections, interest and principal	PR	C	0	0
(ia) Centralized lender collections, fees	PR	A	1,428,000	1,428,000
(ja) Write-off of defaulted student loans	PR	A	0	0
(ma) Federal interest payments	PR-F	C	75,000	75,000
(mb) Federal interest payments, loans sold or conveyed	PR-F	C	0	0
(n) Federal aid; state operations	PR-F	C	2,915,200	2,900,100
<b>Vetoed in Part</b> (o) Federal special allowance revenues, administrative operations	PR-F	A	3,047,900	3,063,000
(qa) Student loan revenue obligation repayment	SEG	C	0	0
(qb) Wisconsin health education loan revenue obligation repayment	SEG	C	66,500	66,500
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			125,000	125,000
PROGRAM REVENUE			7,766,100	7,766,100
FEDERAL	(		6,038,100)	( 6,038,100)
OTHER	(		1,728,000)	( 1,728,000)
SEGREGATED FUNDS			66,500	66,500
OTHER	(		66,500)	( 66,500)
TOTAL-ALL SOURCES			7,957,600	7,957,600
2 0 . 2 3 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			24,259,600	25,635,300
PROGRAM REVENUE			11,401,700	9,301,700
FEDERAL	(		9,673,700)	( 7,573,700)
OTHER	(		1,728,000)	( 1,728,000)
SEGREGATED FUNDS			66,500	66,500
OTHER	(		66,500)	( 66,500)
TOTAL-ALL SOURCES			35,727,800	35,003,500

**20.245 Historical society**

**(1) COLLECT, PRESERVE AND**

**INTERPRET HISTORIC MATERIALS**

(a) General program operations	GPR	A	3,323,600	3,325,900
(b) Distribution of the history of Wisconsin	GPR	C	0	0
(c) Utilities and heat	GPR	A	248,400	267,300
(e) Principal repayment and interest	GPR	S	282,800	293,000
(g) Admissions, sales and other receipts	PR	A	553,800	553,800
(h) Trust funds	PR	C	215,800	215,800
(m) Federal funds; state operations	PR-F	C	1,183,600	1,183,600
(n) Federal funds; aids to individuals and organizations	PR-F	C	300,000	300,000

(1) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			3,854,800	3,886,200
PROGRAM REVENUE			2,253,200	2,253,200
FEDERAL	(		1,483,600)	( 1,483,600)
OTHER	(		769,600)	( 769,600)
TOTAL-ALL SOURCES			6,108,000	6,139,400

**(2) DIVISION OF HISTORIC SITES**

(a) General program operations	GPR	A	127,600	127,600
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(b) Stonefield Village	GPR	A	60,000	60,000
(c) Pendarvis	GPR	A	58,400	58,400
(d) Villa Louis	GPR	A	51,700	51,700
(e) Old Wade House	GPR	A	57,700	57,700
(f) Madeline Island	GPR	A	0	0
(fm) Old World Wisconsin	GPR	A	287,200	287,200
(h) Admissions, sales and other receipts	PR	C	807,300	807,300
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			642,600	642,600
PROGRAM REVENUE			807,300	807,300
OTHER	(		807,300)	( 807,300)
TOTAL-ALL SOURCES			1,449,900	1,449,900
2 0 . 2 4 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			4,497,400	4,528,800
PROGRAM REVENUE			3,060,500	3,060,500
FEDERAL	(		1,483,600)	( 1,483,600)
OTHER	(		1,576,900)	( 1,576,900)
TOTAL-ALL SOURCES			7,557,900	7,589,300

**20.250 Medical college of Wisconsin**

**(1) TRAINING OF HEALTH MANPOWER**

(a) General program operations	GPR	A	4,499,000	4,755,800
(b) Family medicine and practice	GPR	A	1,038,200	1,040,800
(e) Principal repayment and interest	GPR	S	675,400	654,000
2 0 . 2 5 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			6,212,600	6,450,600
TOTAL-ALL SOURCES			6,212,600	6,450,600

**20.255 Public instruction, department of**

**(1) EDUCATIONAL LEADERSHIP**

(a) General program operations	GPR	A	10,040,900	10,133,200
(b) General program operations-residential schools	GPR	A	5,945,300	5,983,000
(c) Utilities and heating	GPR	A	456,100	491,100
(d) Debt service	GPR	S	449,300	434,400
(e) Aid to public library systems	GPR	A	5,917,500	6,095,000
(fg) Special Olympics	GPR	A	75,000	75,000
(fr) Aid for handicapped individuals	GPR	B	30,500	30,500
(g) Student activity therapy	PR	A	6,700	6,700
(hg) Personnel certification and teacher supply, information and analysis	PR	A	789,300	800,600
(hm) Services for drivers	PR	A	<del>250,000</del>	250,000
(hr) Alcohol and other drug abuse program	PR	B	237,400	240,800
(i) Publications	PR	A	51,900	54,000
(jg) School lunch handling charges	PR	A	1,188,100	1,238,900
(jm) Professional services center charges	PR	A	23,300	24,200
(jr) Gifts, grants and trust funds	PR	C	213,600	213,600
(jz) School district boundary appeal proceedings	PR	C	0	0
(ke) Funds transferred from other state agencies; program operations	PR-S	C	2,776,200	2,776,200
(kk) Funds transferred from other state agencies; aids to individuals and org.	PR-S	C	1,974,600	1,974,600
(km) State agency library processing center	PR-S	A	45,400	45,700
(ks) Data processing	PR-S	C	1,033,000	943,400

**Vetoed  
in Part**

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(L) Gifts, grants and trust funds; aids to individuals and organizations	PR	C	0	0
(me) Federal aids; program operations	PR-F	C	5,319,000	5,319,000
(mm) Federal funds; local assistance	PR-F	C	793,400	793,400
(ms) Federal funds; individuals and organizations	PR-F	C	0	0
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			22,914,600	23,242,200
PROGRAM REVENUE			14,701,900	14,681,100
FEDERAL	(		6,112,400)	( 6,112,400)
OTHER	(		2,760,300)	( 2,828,800)
SERVICE	(		5,829,200)	( 5,739,900)
TOTAL-ALL SOURCES			37,616,500	37,923,300
<b>(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING</b>				
(ac) General equalization aids	GPR	A	819,584,600	989,576,600
(ag) General aid; federal revenue sharing	GPR	C	0	0
(an) Supplemental state aid	GPR	B	9,087,700	11,620,300
(aw) Tax base loss reimbursement	GPR	B	890,300	0
(b) Aids for handicapped education	GPR	A	140,688,100	148,408,700
(cc) Bilingual-bicultural education aids	GPR	A	2,803,700	2,887,800
(cg) Tuition payments	GPR	A	2,305,500	2,651,300
(cn) Aids for school lunches and elderly nutrition	GPR	A	4,459,700	4,468,100
(cr) Aid for pupil transportation	GPR	A	6,808,500	18,242,200
(cw) Alternative school American Indian language and culture education aid	GPR	A	55,000	55,000
(fg) Aid for cooperative educational service agencies	GPR	A	961,400	907,200
(fr) Aid for agency school committees	GPR	A	100,000	100,000
(g) Aid for alcohol and other drug abuse programs	PR	B	350,000	350,000
(k) Funds transferred from other state agencies; local aids	PR-S	C	4,921,900	4,921,900
(m) Federal aids; local aid	PR-F	C	102,217,400	102,217,400
(q) Aid for pupil transportation	SEG	A	10,945,000	0
(r) Driver education; local assistance	SEG	A	2,553,600	2,553,600
(s) School library aids	SEG	C	6,822,700	7,696,000
(t) School aids from the badger fund	SEG	C	0	0
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			987,744,500	1,178,917,200
PROGRAM REVENUE			107,489,300	107,489,300
FEDERAL	(		102,217,400)	( 102,217,400)
OTHER	(		350,000)	( 350,000)
SERVICE	(		4,921,900)	( 4,921,900)
SEGREGATED FUNDS			20,321,300	10,249,600
OTHER	(		20,321,300)	( 10,249,600)
TOTAL-ALL SOURCES			1,115,555,100	1,296,656,100
2 0 . 2 5 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,010,659,100	1,202,159,400
PROGRAM REVENUE			122,191,200	122,170,400
FEDERAL	(		108,329,800)	( 108,329,800)
OTHER	(		3,110,300)	( 3,178,800)
SERVICE	(		10,751,100)	( 10,661,800)
SEGREGATED FUNDS			20,321,300	10,249,600

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
OTHER	(		20,321,300)	( 10,249,600)
TOTAL-ALL SOURCES			1,153,171,600	1,334,579,400

**20.285 University of Wisconsin system**

**(1) UNIVERSITY EDUCATION, RESEARCH**

**AND PUBLIC SERVICE**

(a) General program operations	GPR	A	432,610,600	433,204,200
(ab) Student aid	GPR	A	3,082,800	3,196,100
(c) Utilities and heating	GPR	A	38,756,000	41,651,800
(d) Principal repayment and interest	GPR	S	42,373,700	44,596,900
(da) Lease rental payments	GPR	S	7,906,500	7,906,500
(db) Self-amortizing facilities principal and interest	GPR	S	0	0
(fa) General medical operations	GPR	A	2,398,600	2,398,600
(fc) Department of family medicine and practice	GPR	A	3,794,300	3,795,100
(fd) State laboratory of hygiene; general program operations	GPR	A	3,478,100	3,478,300
<del>XXX Island Water Grant Program</del>	<del>GPR</del>	<del>C</del>	<del>70,000</del>	<del>70,000</del>
(g) Physical plant service departments	PR	A	0	0
(ga) Surplus auxiliary funds	PR	C	0	0
(gb) Principal repayment and interest	PR	S	5,826,700	6,401,200
(gc) Lease rental payments	PR	S	8,895,200	8,895,200
(h) Auxiliary enterprises	PR	A	166,361,100	175,762,300
(ha) Stores	PR	A	60,800	60,800
(i) State laboratory of hygiene	PR	A	4,015,500	4,036,500
(ia) State laboratory of hygiene, drivers	PR	A	226,800	231,800
(im) Academic student fees	PR	A	167,783,500	174,385,100
(iz) General operations receipts	PR	A	25,893,200	27,199,000
(j) Gifts and donations	PR	C	38,212,300	39,872,100
(ja) Gifts; student loans	PR	C	1,944,000	2,099,500
(k) Adult education center operations	PR	A	133,800	134,600
(ka) Sale of real property	PR	A	0	0
(kb) University of Wisconsin hospital and clinics	PR	A	96,345,400	101,761,800
(m) Federal aid	PR-F	C	125,730,900	125,937,300
(ma) Federal aid; loans and grants	PR-F	C	52,374,300	52,374,300
(n) Federal indirect cost reimbursement	PR-F	C	27,649,700	28,458,000
(u) Trust fund income	SEG	C	3,894,700	4,105,000
(w) Trust fund operations	SEG	C	0	0
(x) Driver education teachers	SEG	A	61,000	61,000

**Vetoed in Part**

**20.285 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUES		534,470,600	540,227,500
PROGRAM REVENUE		721,453,200	747,609,500
FEDERAL	(	205,754,900)	( 206,769,600)
OTHER	(	515,698,300)	( 540,839,900)
SEGREGATED FUNDS		3,955,700	4,166,000
OTHER	(	3,955,700)	( 4,166,000)
TOTAL-ALL SOURCES		1,259,879,500	1,292,003,000

**20.292 Vocational, technical and adult education, board of**

**(1) VOCATIONAL, TECHNICAL AND**

**ADULT EDUCATION**

(a) General program operations	GPR	A	1,619,400	1,631,700
(b) Displaced homemakers' program	GPR	A	393,800	394,700
(c) Fire schools	GPR	A	67,000	69,200
(d) State aid for vocational, technical and adult education	GPR	A	67,220,000	69,236,600
(g) Text materials	PR	A	123,000	123,000

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(h) Gifts and grants	PR	C	20,600	20,600
(i) Conferences	PR	C	55,900	55,900
(j) Personnel certification	PR	A	99,400	100,000
(k) Gifts and grants	PR	C	22,200	22,200
(ka) Interagency projects; local assistance	PR-S	A	1,414,700	1,414,700
(kb) Interagency projects; state operations	PR-S	A	630,700	630,700
(m) Federal aid, state operations	PR-F	C	4,264,300	4,284,300
(n) Federal aid, local assistance	PR-F	C	16,503,900	16,503,900
(o) Federal aid, aids to individuals and organizations	PR-F	C	956,500	956,500
(u) Driver education, local assistance	SEG	A	206,300	206,300
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			69,300,200	71,332,200
PROGRAM REVENUE			24,091,200	24,111,800
FEDERAL	(		21,724,700)	( 21,744,700)
OTHER	(		321,100)	( 321,700)
SERVICE	(		2,045,400)	( 2,045,400)
SEGREGATED FUNDS			206,300	206,300
OTHER	(		206,300)	( 206,300)
TOTAL-ALL SOURCES			93,597,700	95,650,300
<b>(2) EDUCATIONAL APPROVAL BOARD</b>				
(a) General program operations	GPR	A	72,400	72,700
(g) Proprietary school permits	PR	A	26,400	26,700
(m) Federal aid	PR-F	C	147,400	147,800
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			72,400	72,700
PROGRAM REVENUE			173,800	174,500
FEDERAL	(		147,400)	( 147,800)
OTHER	(		26,400)	( 26,700)
TOTAL-ALL SOURCES			246,200	247,200
2 0 . 2 9 2 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			69,372,600	71,404,900
PROGRAM REVENUE			24,265,000	24,286,300
FEDERAL	(		21,872,100)	( 21,892,500)
OTHER	(		347,500)	( 348,400)
SERVICE	(		2,045,400)	( 2,045,400)
SEGREGATED FUNDS			206,300	206,300
OTHER	(		206,300)	( 206,300)
TOTAL-ALL SOURCES			93,843,900	95,897,500
Education				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,655,236,500	1,856,420,900
PROGRAM REVENUE			885,962,300	910,190,400
FEDERAL	(		347,730,800)	( 346,815,900)
OTHER	(		525,435,000)	( 550,667,300)
SERVICE	(		12,796,500)	( 12,707,200)
BOND REVENUE			0	0
SEGREGATED FUNDS			24,549,800	14,688,400
FEDERAL	(		0)	( 0)
OTHER	(		24,549,800)	( 14,688,400)
SERVICE	(		0)	( 0)
LOCAL	(		0)	( 0)
TOTAL-ALL SOURCES			2,565,748,600	2,781,299,700

### Environmental Resources

#### 20.315 Boundary area commission, Minnesota-Wisconsin

##### (1) BOUNDARY AREA COOPERATION

(a) General program operations	GPR	A	63,500	65,900
(g) Gifts or grants	PR	C	0	0
2 0 . 3 1 5 D E P A R T M E N T T O T A L S				

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
GENERAL PURPOSE REVENUES		63,500	65,900
PROGRAM REVENUE		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		63,500	65,900

**20.370 Natural resources, department of**

**(1) RESOURCE MANAGEMENT**

(bq) Wildlife management--land leasing	SEG A	100,000	200,000
(cq) Forestry--reforestation	SEG C	100,000	100,000
(ea) Parks--general program operations	GPR A	3,075,500	3,120,500
(ed) Parks--Olympic ice rink repair, maintenance and improvement	GPR B	31,900	32,400
(fb) Endangered resources--general program operations	GPR A	140,400	0
(fs) Endangered resources--voluntary payments	SEG C	0	750,000
(jj) Conservation corps--corps enrollee compen. & support; sponsor contribution	PR C	0	0
(jm) Conservation corps--corps enrollee compensation and support; federal funds	PR-F C	0	0
(jq) Conservation corps--corps enrollee compensation and support; state funds	SEG A	2,397,000	2,395,500
(kb) Resource acquisition and development--state funds	GPR C	1,543,500	1,543,500
(kc) Resource acquisition and development--principal repayment and interest	GPR S	5,530,300	6,195,900
(kd) Resource acquisition and development--Olympic ice rink lease rental payments	GPR S	35,400	35,400
(kq) Resource acquisition and development--taxes and assessments	SEG B	75,000	75,000
(kr) Resource acquisition & development--nonmotorized boating improvements	SEG C	0	0
(ks) Resource acquisition and development--state funds	SEG C	5,557,500	5,807,500
(kt) Resource acquisition and development--wetlands habitat improvement	SEG C	220,000	220,000
(ku) Resource acquisition and development--Great Lakes trout and salmon	SEG C	750,000	750,000
(kv) Resource acquisition and development--trout habitat improvement	SEG C	444,700	444,700
(ky) Resource acquisition and development--federal funds	SEG-F C	2,087,500	2,087,500
(ma) General program operations--state funds	GPR A	647,500	648,500
(mm) General program operations--federal funds	PR-F C	0	0
(mq) General program operations--state snowmobile trails and areas	SEG A	96,000	90,000
(mr) General program operations--state park and forest roads	SEG A	150,000	150,000

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(mu) General program				
operations--state funds	SEG	A	0	0
Fish Management	SEG	A	8,629,600	8,750,000
Wildlife Management	SEG	A	5,373,100	5,520,700
Forestry	SEG	A	17,284,900	17,228,500
Southern Forests	SEG	A	1,831,400	1,909,700
Parks	SEG	A	3,129,800	3,174,700
Endangered Resources	SEG	A	159,600	0
Engineering	SEG	A	928,900	929,200
Research	SEG	A	1,340,600	1,340,600
Real Estate	SEG	A	230,100	231,500
NET APPROPRIATION			38,898,900	39,084,900
(mv) General program				
operations--use of				
departmental gravel pits	SEG	C	0	0
(my) General program				
operations--federal funds	SEG-F	C	0	0
Fish Management	SEG-F	C	137,800	137,800
Wildlife Management	SEG-F	C	622,700	622,700
Forestry	SEG-F	C	80,900	4,800
Southern Forests	SEG-F	C	108,400	108,400
Parks	SEG-F	C	267,100	267,100
Endangered Resources	SEG-F	C	27,000	28,800
Research	SEG-F	C	600,600	600,600
Real Estate	SEG-F	C	19,600	19,600
NET APPROPRIATION			1,864,100	1,789,800
	(1) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			11,004,500	11,576,200
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
OTHER	(		0)	( 0)
SEGREGATED FUNDS			52,740,700	53,944,900
FEDERAL	(		3,951,600)	( 3,877,300)
OTHER	(		48,789,100)	( 50,067,600)
TOTAL-ALL SOURCES			63,745,200	65,521,100
(2) ENVIRONMENTAL STANDARDS				
(ab) Water resources				
management--wetlands mapping	GPR	C	0	0
(ai) Water resource				
management--aquatic nuisance				
control	PR	C	10,400	10,400
(bj) Environmental damage				
compensation	PR	C	43,900	43,900
(ca) Solid waste				
management--mid-state				
landfill study	GPR	B	125,000	0
(cc) Solid waste mgt.--initial				
funding of hazardous				
substances spills program	GPR	C	41,400	41,400
(cg) Solid waste management--solid				
and hazardous waste disposal				
administration	PR	A	926,000	941,600
(ch) Solid waste				
management--mining regulation				
and administration	PR	A	0	0
(cj) Solid waste				
management--hazardous				
substances spills program,	PR	C	0	0
(cm) Solid waste				
management--hazardous				
substances spills program,	PR-F	C	0	0
(cq) Solid waste management--waste				
management fund	SEG	C	0	0
(cr) Solid waste				
management--investment and				
local impact fund	SEG	C	0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	WisACT 27 1984-85
(cs) Solid and hazardous waste mgt.--closure & long term care; imminent hazard	SEG	A	0	0
(ct) Solid waste management--closure and long-term care	SEG	C	0	0
(di) Air management--permit review and enforcement	PR	A	309,100	386,100
(dq) Air manage.--motor vehicle emission inspec. and maint. program, state funds	SEG	A	26,200	26,200
(ma) General program operations--state funds	GPR	A	0	0
Water Resources Management	GPR	A	1,555,500	1,613,600
Wastewater Management	GPR	A	2,333,500	2,361,500
Air Management	GPR	A	1,933,700	1,921,500
Solid Waste Management	GPR	A	1,632,700	1,640,700
Water Supply Management	GPR	A	1,098,900	1,069,300
Technical Services	GPR	A	135,300	138,400
NET APPROPRIATION			8,689,600	8,745,000
(mm) General program operations--federal funds	PR-F	C	0	0
Water Resources Management	PR-F	C	1,589,200	1,676,800
Wastewater Management	PR-F	C	2,010,700	2,151,900
Air Management	PR-F	C	1,340,200	1,115,600
Solid Waste Management	PR-F	C	504,000	476,400
Water Supply Management	PR-F	C	733,200	733,200
Technical Services	PR-F	C	37,100	39,900
NET APPROPRIATION			6,214,400	6,193,800
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,856,000	8,786,400
PROGRAM REVENUE			7,503,800	7,575,800
FEDERAL	(		6,214,400)	( 6,193,800)
OTHER	(		1,289,400)	( 1,382,000)
SEGREGATED FUNDS			26,200	26,200
OTHER	(		26,200)	( 26,200)
TOTAL-ALL SOURCES			16,386,000	16,388,400
<b>(3) ENFORCEMENT</b>				
(aq) Law enforcement--snowmobile enforcement and safety training	SEG	A	235,400	235,400
(ar) Law enforcement--boat enforcement and safety training	SEG	A	634,200	634,200
(bh) Water regulation and zoning--dam inspections and safety administration	PR	A	63,900	71,300
(dg) Environmental impact--consultant services	PR	C	0	0
(ma) General program operations--state funds	GPR	A	3,151,600	3,156,000
(mm) General program operations--federal funds	PR-F	C	306,100	327,900
(mu) General program operations--state funds	SEG	A	7,175,000	7,322,700
(my) General program operations--federal funds	SEG-F	C	267,100	267,100
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,151,600	3,156,000
PROGRAM REVENUE			370,000	399,200
FEDERAL	(		306,100)	( 327,900)
OTHER	(		63,900)	( 71,300)
SEGREGATED FUNDS			8,311,700	8,459,400
FEDERAL	(		267,100)	( 267,100)
OTHER	(		8,044,600)	( 8,192,300)
TOTAL-ALL SOURCES			11,833,300	12,014,600

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
<b>(4) LOCAL SUPPORT</b>				
(am) Resource aids--national forest income aids	PR-F	C	500,000	500,000
(aq) Resource aids--Canadian agencies migratory waterfowl aids	SEG	C	110,000	110,000
(ar) Resource aids--county forests and forest croplands aids	SEG	B	1,644,700	1,655,800
(as) Resource aids--county conservation aids	SEG	A	140,000	140,000
(bq) Recreation aids--fish, wildlife and forestry recreation aids	SEG	A	125,000	125,000
(br) Recreation aids--badger fund	SEG	C	0	0
(bs) Recreation aids--county snowmobile trail and area aids	SEG	C	448,000	496,900
(bt) Recreation aids--snowmobile trail areas; transportation fund	SEG	C	1,214,300	1,240,800
(bv) Recreation aids--motorcycle recreation aids	SEG	B	385,000	385,000
(bx) Recreation and resource aids, federal funds	SEG-F	C	0	0
(cc) Environmental aids--nonpoint source; grants and aids	GPR	C	4,130,000	5,588,000
(cd) Environmental aids--on-land dredge disposal	GPR	C	0	0
(cm) Environmental aids--federal funds	PR-F	C	3,000,000	3,000,000
(co) Environmental aids--inland lake renewal; federal funds	PR-F	C	0	0
(da) Environmental aids--point source; prior to bonding and small projects	GPR	B	55,000	55,000
(db) Environmental aids--septic tank replacement and rehabilitation	GPR	C	2,500,000	2,500,000
(dc) Environmental aids--point source; pollution abatement grants; general fund	GPR	C	0	0
(ea) Environmental planning aids--local water quality planning	GPR	B	106,000	106,000
(eb) Environmental planning aids--solid waste management grants	GPR	C	0	500,000
(ec) Environmental planning aids--recycling transition funds	GPR	B	50,000	0
(fa) Aids in lieu of taxes	GPR	S	486,000	507,300
(fq) Aids in lieu of taxes	SEG	S	602,000	624,100
(gc) Enforcement aids--floodplain and shoreland mapping	GPR	B	180,000	180,000
(gq) Enforcement aids--boating enforcement	SEG	A	300,000	300,000
(gt) Enforcement aids--snowmobiling enforcement	SEG	A	107,000	115,000
(gy) Enforcement aids--federal funds	SEG-F	C	0	0
(hb) Youth camps and work projects--state funds	GPR	A	534,900	536,100
(hm) Youth camps and work projects--federal funds	PR-F	C	120,000	0
(hq) Youth camps and work				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
projects--state lands	SEG	A	268,200	270,200
(ia) Aids administration--general program operations, state funds	GPR	A	170,400	170,800
(im) Aids administration--general program operations, federal funds	PR-F	C	1,434,100	1,540,300
(ir) Aids administration--motorcycle recreation	SEG	A	21,300	21,500
(is) Aids administration--snowmobile recreation	SEG	A	66,700	66,700
(it) Aids administration--wildlife damage claims and abatement	SEG	A	23,000	60,000
(iu) Aids administration--general program operations, state funds	SEG	A	147,800	149,400
(iy) Aids administration--general program operations, federal funds	SEG-F	C	142,800	142,800
(jb) Debt service--recreational boating bonds	GPR	S	173,500	166,900
(jc) Debt service--point source pollution abatement bonds	GPR	S	34,557,600	53,042,200
(jd) Debt service--combined sewer overflow; pollution abatement bonds	GPR	S	522,600	2,082,700
<del>(je) Debt service--resolving and resource recovery loan program</del>	<del>GPR</del>	<del>S</del>	<del>0</del>	<del>0</del>
(kq) Wildlife damage claims and abatement	SEG	A	103,500	383,000
(4) P R O G R A M T O T A L S			43,466,000	65,435,000
GENERAL PURPOSE REVENUES			43,466,000	65,435,000
PROGRAM REVENUE			5,054,100	5,040,300
FEDERAL			( 5,054,100)	( 5,040,300)
SEGREGATED FUNDS			5,849,300	6,286,200
FEDERAL			( 142,800)	( 142,800)
OTHER			( 5,706,500)	( 6,143,400)
TOTAL-ALL SOURCES			54,369,400	76,761,500
<b>(7) OUTDOOR RECREATION</b>				
(aa) General program operations	GPR	A	19,496,300	20,276,100
Allocated to other programs	GPR	A	-11,705,400	-12,292,000
NET APPROPRIATION			7,790,900	7,984,100
(7) P R O G R A M T O T A L S			7,790,900	7,984,100
GENERAL PURPOSE REVENUES			7,790,900	7,984,100
TOTAL-ALL SOURCES			7,790,900	7,984,100
<b>(8) ADMINISTRATIVE SERVICES</b>				
(dq) Snowmobile registration	SEG	B	142,200	174,000
(dr) Boat registration	SEG	B	300,200	359,700
(iq) Natural resources magazine	SEG	C	510,400	510,400
(jj) Conservation corps--administrative support; sponsor contribution	PR	C	0	0
(jm) Conservation corps--administrative support; federal funds	PR-F	C	0	0
(jq) Conservation corps--administrative support; state funds	SEG	A	103,000	104,500
(La) Facility repair and maintenance	GPR	B	65,900	65,900
(Lb) Administrative facilities--principal				

Vetoed  
in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(Lc) repayment and interest Facility repair and maintenance--parks and youth camps	GPR	S	456,500	467,500
(Ld) Administrative facilities--acquisition, development and improvement	GPR	B	154,000	154,000
(Lr) Facility repair and maintenance	GPR	C	16,000	16,000
(Ls) Administrative facilities--principal repayment and interest	SEG	B	239,400	239,400
(Lt) Administrative facilities--acquisition, development and improvement	SEG	S	420,400	470,400
(ma) General program operations--state funds	SEG	C	81,500	81,500
(mm) General program operations--state funds	GPR	A	5,362,500	5,385,500
(mu) General program operations--federal funds	PR-F	C	76,600	100
(my) General program operations--state funds	SEG	A	11,955,300	12,025,700
(my) General program operations--federal funds	SEG-F	C	2,487,100	2,518,100
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			6,054,900	6,088,900
PROGRAM REVENUE			76,600	100
FEDERAL	(		76,600)	( 100)
OTHER	(		0)	( 0)
SEGREGATED FUNDS			16,239,500	16,483,700
FEDERAL	(		2,487,100)	( 2,518,100)
OTHER	(		13,752,400)	( 13,965,600)
TOTAL-ALL SOURCES			22,371,000	22,572,700
2 0 . 3 7 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			80,323,900	103,026,600
PROGRAM REVENUE			13,004,500	13,015,400
FEDERAL	(		11,651,200)	( 11,562,100)
OTHER	(		1,353,300)	( 1,453,300)
SEGREGATED FUNDS			83,167,400	85,200,400
FEDERAL	(		6,848,600)	( 6,805,300)
OTHER	(		76,318,800)	( 78,395,100)
TOTAL-ALL SOURCES			176,495,800	201,242,400

**20.395 Transportation, department of**

**(1) AID S**

(aq) Transportation aids, state funds	SEG	A	147,500,000	156,400,000
(as) Connecting highways aids, state funds	SEG	A	7,276,300	7,494,600
(at) Flood damage aids, state funds	SEG	C	500,000	500,000
(au) Lift bridge aids, state funds	SEG	A	1,602,500	1,650,600
(av) Transportation aids supplement, state funds	SEG	A	1,800,000	3,300,000
(bq) Transit operating aids, state funds	SEG	A	32,262,500	39,042,500
(br) Milwaukee urban area rail transit system planning study; state funds	SEG	B	200,000	0
(bt) Urban rail transit system grants	SEG	C	0	0
(bv) Transit aids, local funds	SEG-L	C	0	0
(bx) Transit aids, federal funds	SEG-F	C	2,100,000	2,100,000
(cq) Elderly and handicapped capital aids, state funds	SEG	A	517,700	533,200
(cr) Elderly and handicapped county aids, state funds	SEG	A	3,207,600	3,303,800

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
(cv) Elderly and handicapped aids, local funds	SEG-L C	209,300	209,300
(cx) Elderly and handicapped aids, federal funds	SEG-F C	400,000	400,000
(ex) Highway safety, local assistance, federal funds	SEG-F C	1,700,000	1,700,000
(ey) Highway safety, state agencies, federal aid	SEG-F C	1,200,000	1,200,000
(fq) Railroad crossing protection aids, state funds	SEG A	2,221,300	2,397,100
(fr) Railroad crossing repair aids, state funds	SEG A	100,000	100,000
(hq) Harbor assistance aids, state funds	SEG C	750,000	750,000
(1) P R O G R A M T O T A L S			
SEGREGATED FUNDS		203,547,200	221,081,100
FEDERAL	(	5,400,000)	( 5,400,000)
OTHER	(	197,937,900)	( 215,471,800)
LOCAL	(	209,300)	( 209,300)
TOTAL-ALL SOURCES		203,547,200	221,081,100

(2) AIRPORT AND RAILROAD

FACILITIES AND SERVICES

(aq) Railroad service continuation, state funds	SEG A	0	0
(av) Railroad service continuation, local funds	SEG-L C	0	0
(ax) Railroad service continuation, federal funds	SEG-F C	0	0
(bq) Railroad facilities acquisition and railroad rehabilitation, state funds	SEG C	6,300,000	6,692,000
(bv) Railroad facilities acquisition and railroad rehabilitation, local funds	SEG-L C	0	0
(bx) Railroad facilities acquisition and railroad rehabilitation, federal funds	SEG-F C	600,000	600,000
(dq) Local airport development, state funds	SEG C	2,551,600	2,551,600
(dv) Local airport development, local funds	SEG-L C	2,795,500	2,795,500
(dx) Local airport development, federal funds	SEG-F C	9,521,000	9,521,000

(2) P R O G R A M T O T A L S

SEGREGATED FUNDS		21,768,100	22,160,100
FEDERAL	(	10,121,000)	( 10,121,000)
OTHER	(	8,851,600)	( 9,243,600)
LOCAL	(	2,795,500)	( 2,795,500)
TOTAL-ALL SOURCES		21,768,100	22,160,100

(3) STATE HIGHWAY FACILITIES

(aq) State trunk highway allotment to counties	SEG C	8,050,000	8,050,000
(bq) Major highway development, state funds	SEG C	6,868,500	3,216,500
(bv) Major highway development, local funds	SEG-L C	0	0
(bx) Major highway development, federal funds	SEG-F C	20,888,000	19,350,000
(cq) Existing highway improvement, state funds	SEG C	25,522,600	27,337,300
(cv) Existing highway improvement, local funds	SEG-L C	1,510,000	1,510,000
(cx) Existing highway improvement, federal funds	SEG-F C	59,983,000	65,192,000
(dq) Improvement of state bridges,			

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
state funds	SEG C	9,634,900	8,559,900
(dv) Improvement of state bridges, local funds	SEG-L C	490,000	490,000
(dx) Improvement of state bridges, federal funds	SEG-F C	16,497,000	17,572,000
(eq) Highway maintenance and repair, state funds	SEG B	66,331,200	71,205,300
(ev) Highway maintenance and repair, local funds	SEG-L C	250,000	250,000
(ex) Highway maintenance and repair, federal funds	SEG-F C	0	0
(fq) Highway winter maintenance, state funds	SEG B	28,148,900	29,647,800
(fv) Highway winter maintenance, local funds	SEG-L C	0	0
(fx) Highway winter maintenance, federal funds	SEG-F C	0	0
(gq) Interstate construction and rehabilitation, state funds	SEG C	9,104,100	7,193,000
(gv) Interstate construction and rehabilitation, local funds	SEG-L C	0	0
(gx) Interstate construction and rehabilitation, federal funds	SEG-F C	70,684,300	58,887,000
(hq) Highway traffic operations, state funds	SEG B	14,258,700	14,684,100
(hv) Highway traffic operations, local funds	SEG-L C	0	0
(hx) Highway traffic operations, federal funds	SEG-F C	150,000	150,000
(iq) General program operations, highways, state funds	SEG A	8,160,300	8,018,100
(iv) General program operations, highways, local funds	SEG-L C	0	0
(ix) General program operations, highways, federal funds	SEG-F C	841,200	841,200
(3) P R O G R A M T O T A L S			
SEGREGATED FUNDS		347,372,700	342,154,200
FEDERAL	(	169,043,500)	( 161,992,200)
OTHER	(	176,079,200)	( 177,912,000)
LOCAL	(	2,250,000)	( 2,250,000)
TOTAL-ALL SOURCES		347,372,700	342,154,200
<b>(4) LOCAL HIGHWAYS AND BRIDGES</b>			
(aq) Local highways and bridge improvements, state funds	SEG C	7,022,800	7,760,700
(av) Local highways and bridge improvements, local funds	SEG-L C	15,289,900	13,847,000
(ax) Local highways and bridge improvements, federal funds	SEG-F C	48,994,000	42,484,000
(bq) Railroad crossing improvement, state funds	SEG B	500,000	500,000
(bv) Railroad crossing improvement, local funds	SEG-L C	0	0
(bx) Railroad crossing improvement, federal funds	SEG-F C	2,570,000	2,570,000
(4) P R O G R A M T O T A L S			
SEGREGATED FUNDS		74,376,700	67,161,700
FEDERAL	(	51,564,000)	( 45,054,000)
OTHER	(	7,522,800)	( 8,260,700)
LOCAL	(	15,289,900)	( 13,847,000)
TOTAL-ALL SOURCES		74,376,700	67,161,700
<b>(5) GENERAL TRANSPORTATION OPERATIONS</b>			
(aq) Departmental management and operations, state funds	SEG A	23,330,700	23,796,300
(av) Departmental management and			

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
(ax) operations, local funds	SEG-L C	108,200	108,200
(ax) Departmental management and operations, federal funds	SEG-F C	3,127,000	3,130,800
(cg) Traffic violation and registration program, state funds	PR A	333,100	333,100
(ch) Registration and licensing, drivers, state funds	PR A	623,300	625,300
(cq) Vehicle registration and driver licensing, state funds	SEG A	29,843,900	31,302,500
(cx) Vehicle registration and driver licensing, federal funds	SEG-F C	200,000	200,000
(dq) Vehicle inspection and traffic enforcement, state funds	SEG A	22,596,900	22,914,400
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F C	213,100	213,100
(eq) Data processing operations, service funds	SEG-S C	1,037,200	1,035,900
(er) Fleet operations, service funds	SEG-S C	5,685,000	6,086,100
(es) Other department services, operations, service funds	SEG-S C	518,900	441,900
(et) Service center supplements, state funds	SEG A	0	0
(eu) Other departmental services; sale of aerial photographic survey products	SEG C	0	0
(gq) Motor-driven cycle, moped and motor bicycle safety program, state funds	SEG A	141,100	141,100
(hq) Motor veh. emission insp. and maint. program; contractor costs, state funds	SEG A	2,152,100	8,762,900
(hr) Motor veh. emission insp. and maint. program; administration; state funds	SEG A	582,200	877,000
(hx) Motor vehicle emission inspection and maintenance programs; federal funds	SEG-F C	0	0
(iv) Municipal and county registration fee, local funds	SEG-L C	0	0
(5) P R O G R A M T O T A L S			
PROGRAM REVENUE		956,400	958,400
OTHER	(	956,400)	( 958,400)
SEGREGATED FUNDS		89,536,300	99,010,200
FEDERAL	(	3,540,100)	( 3,543,900)
OTHER	(	78,646,900)	( 87,794,200)
SERVICE	(	7,241,100)	( 7,563,900)
LOCAL	(	108,200)	( 108,200)
TOTAL-ALL SOURCES		90,492,700	99,968,600
<b>(6) DEBT SERVICES</b>			
(aq) Principal repayment and interest, transportation facilities, state funds	SEG S	21,422,100	24,324,800
(ar) Principal repayment and interest, buildings, state funds	SEG S	850,200	1,000,300
(as) Transportation facilities and highway projects revenue obligation repayment	SEG C	0	2,236,000
(6) P R O G R A M T O T A L S			
SEGREGATED FUNDS		22,272,300	27,561,100
OTHER	(	22,272,300)	( 27,561,100)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
TOTAL-ALL SOURCES		22,272,300	27,561,100
<b>(7) OFFICE OF THE COMMISSIONER OF TRANSPORTATION</b>			
(aq) Transportation regulation and general program operations	SEG A	925,600	878,800
(ax) Transportation regulation and general program operations, federal funds	SEG-F C	0	0
<b>(7) PROGRAM TOTALS</b>			
SEGREGATED FUNDS		925,600	878,800
FEDERAL	(	0)	0)
OTHER	(	925,600)	878,800)
TOTAL-ALL SOURCES		925,600	878,800
<b>20.395 DEPARTMENT TOTALS</b>			
PROGRAM REVENUE		956,400	958,400
OTHER	(	956,400)	958,400)
SEGREGATED FUNDS		759,798,900	780,007,200
FEDERAL	(	239,668,600)	226,111,100)
OTHER	(	492,236,300)	527,122,200)
SERVICE	(	7,241,100)	7,563,900)
LOCAL	(	20,652,900)	19,210,000)
TOTAL-ALL SOURCES		760,755,300	780,965,600
<b>Environmental Resources</b>			
<b>FUNCTIONAL AREA TOTALS</b>			
GENERAL PURPOSE REVENUES		80,387,400	103,092,500
PROGRAM REVENUE		13,960,900	13,973,800
FEDERAL	(	11,651,200)	11,562,100)
OTHER	(	2,309,700)	2,411,700)
SERVICE	(	0)	0)
BOND REVENUE		0	0
SEGREGATED FUNDS		842,966,300	865,207,600
FEDERAL	(	246,517,200)	232,916,400)
OTHER	(	568,555,100)	605,517,300)
SERVICE	(	7,241,100)	7,563,900)
LOCAL	(	20,652,900)	19,210,000)
TOTAL-ALL SOURCES		937,314,600	982,273,900

**Human Relations and Resources**

**20.420 Criminal justice, council on**

**(1) CRIMINAL JUSTICE**

(a) Planning and administration match, state operations	GPR A	140,000	140,000
(b) Planning and administration match, local assistance	GPR A	0	0
(m) Federal aid, planning and administration, state operations	PR-F C	439,300	446,200
(n) Federal aid, planning and administration, local assistance	PR-F C	19,600	15,700
(o) Federal aid, criminal justice improvement projects, state operations	PR-F C	68,000	50,000
(p) Federal aid, criminal justice improvement projects, local assistance	PR-F C	290,700	277,500
(pa) Federal aid, criminal justice improvement projects, aid to organizations	PR-F C	437,000	360,100
<b>20.420 DEPARTMENT TOTALS</b>			
GENERAL PURPOSE REVENUES		140,000	140,000
PROGRAM REVENUE		1,254,600	1,149,500
FEDERAL	(	1,254,600)	1,149,500)
TOTAL-ALL SOURCES		1,394,600	1,289,500

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
<b>20.425 Employment relations commission</b>			
(1) PROMOTION OF PEACE IN LABOR RELATIONS			
(a) General program operations	GPR A	1,757,300	1,776,900
(g) Publications	PR A	13,300	13,300
20.425 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		1,757,300	1,776,900
PROGRAM REVENUE		13,300	13,300
OTHER	(	13,300)	( 13,300)
TOTAL-ALL SOURCES		1,770,600	1,790,200

**20.432 Board on aging and long-term care**

(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED			
(a) General program operations	GPR A	189,700	188,200
(i) Gifts and grants	PR C	0	0
(k) Contracts with state agencies	PR-S A	0	0
(m) Federal aid	PR-F C	33,900	33,900
20.432 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		189,700	188,200
PROGRAM REVENUE		33,900	33,900
FEDERAL	(	33,900)	( 33,900)
OTHER	(	0)	( 0)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		223,600	222,100

**20.433 Child abuse and neglect prevention board**

(1) PREVENTION OF CHILD ABUSE AND NEGLECT			
(g) General program operations	PR A	50,000	50,000
(h) Grants to organizations	PR C	0	0
(q) Children's trust fund	SEG C	0	0
20.433 DEPARTMENT TOTALS			
PROGRAM REVENUE		50,000	50,000
OTHER	(	50,000)	( 50,000)
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		50,000	50,000

Partial  
Veto  
Overruled

**20.435 Health and social services, department of**

(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY			
(a) General program operations	GPR A	14,526,500	14,556,800
(b) Medical assistance program benefits	GPR B	405,942,900	432,155,700
(bm) Medical assistance administration	GPR B	5,030,000	5,377,900
(d) Nursing home appeals mechanism	GPR B	996,500	996,500
(dm) Nursing home receivership supplement	GPR S	0	0
(e) Disease aids	GPR B	2,044,100	2,223,700
(f) Family planning	GPR A	1,000,000	1,000,000
(ff) Medical education loan repayment grants	GPR A	0	0
(gm) Licensing activities	PR A	2,957,800	3,037,000
(i) Gifts and grants	PR C	64,600	64,600
(j) Fees for services and supplies	PR A	580,000	571,800
(k) Nursing home receivership operations	PR-S C	0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(kg) Agent orange study	PR	C	0	0
(km) Internal services	PR-S	A	1,472,700	1,473,200
(m) Federal project operations	PR-F	C	6,819,800	6,822,000
(ma) Federal project aids	PR-F	C	15,011,000	15,011,000
(mc) Block grant operations	PR-F	C	2,039,500	2,039,500
(md) Block grant aids	PR-F	C	4,325,300	4,325,300
(n) Federal program operations	PR-F	C	5,952,400	5,952,400
(na) Federal program aids	PR-F	C	1,605,100	1,605,100
(o) Federal aid; medical assistance	PR-F	C	541,598,000	569,983,800
(p) Federal aid; medical assistance contracts administration	PR-F	C	11,257,100	12,050,500
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			429,540,000	456,310,600
PROGRAM REVENUE			593,683,300	622,936,200
FEDERAL	(		588,608,200)	( 617,789,600)
OTHER	(		3,602,400)	( 3,673,400)
SERVICE	(		1,472,700)	( 1,473,200)
TOTAL-ALL SOURCES			1,023,223,300	1,079,246,800
<b>(2) CARE AND TREATMENT FACILITIES</b>				
(a) General program operations	GPR	A	28,897,500	30,108,900
(aa) Institutional repair and maintenance	GPR	A	466,000	489,400
(ee) Principal repayment and interest	GPR	S	4,407,200	4,731,700
(ef) Lease rental payments	GPR	S	1,335,600	1,335,600
(f) Utilities and heating	GPR	A	1,609,100	1,716,500
(gk) Institutional operations and charges	PR	A	94,191,900	92,449,800
(i) Gifts and grants	PR	C	84,000	84,000
(m) Federal project operations	PR-F	C	624,700	559,000
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			36,715,400	38,382,100
PROGRAM REVENUE			94,900,600	93,092,800
FEDERAL	(		624,700)	( 559,000)
OTHER	(		94,275,900)	( 92,533,800)
TOTAL-ALL SOURCES			131,616,000	131,474,900
<b>(3) CORRECTIONAL SERVICES</b>				
(a) General program operations	GPR	A	90,321,200	90,359,800
(aa) Institutional repair and maintenance	GPR	A	903,000	941,600
(ab) Intergovernmental corrections agreements	GPR	A	6,289,600	6,272,600
(am) Juvenile correctional services	GPR	A	298,200	297,900
(c) Reimbursement claims of counties containing state institutions	GPR	S	81,800	86,100
(d) Purchased services for offenders	GPR	A	841,600	841,600
(dd) Special living arrangements	GPR	A	1,633,800	1,704,700
(e) Principal repayment and interest	GPR	S	4,562,700	8,544,100
(ef) Lease rental payments	GPR	S	271,500	271,500
(f) Utilities and heating	GPR	A	5,091,700	5,438,900
(g) Probationer and parolee loan fund	PR	A	45,000	45,000
(h) Administration of restitution	PR	A	144,600	144,600
(hm) Juvenile correctional services	PR	A	13,980,400	14,005,500
(ho) Foster care	PR	A	2,368,800	2,455,900
(i) Gifts and grants	PR	C	15,400	15,600
(jp) Correctional officer training	PR	A	569,900	581,700
(kk) Institutional operations and				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
charges	PR-S	A	3,985,900	4,151,900
(km) Prison industries	PR-S	A	4,391,100	5,472,200
(m) Federal project operations	PR-F	C	1,284,900	1,284,900
(n) Federal program operations	PR-F	C	21,200	21,200
(o) Federal aid; foster care	PR-F	C	350,100	365,000
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			110,295,100	114,758,800
PROGRAM REVENUE			27,157,300	28,543,500
FEDERAL	(		1,656,200)	( 1,671,100)
OTHER	(		17,124,100)	( 17,248,300)
SERVICE	(		8,377,000)	( 9,624,100)
TOTAL-ALL SOURCES			137,452,400	143,302,300
<b>(4) COMMUNITY SERVICES</b>				
(a) General program operations	GPR	A	13,868,900	14,071,800
(b) Community social and mental hygiene services	GPR	A	177,949,200	192,295,200
(bg) Work incentive demonstration program; administration	GPR	A	492,700	482,700
(bm) Work incentive demonstration program; aids	GPR	A	264,500	499,200
(cb) Domestic abuse grants	GPR	A	1,451,600	1,480,600
(cd) Community youth and family aids	GPR	A	28,064,700	28,998,600
(d) Income maintenance payments to individuals	GPR	S	204,753,100	232,206,600
(da) Reimbursements to local units of government	GPR	S	150,000	150,000
(db) Foster parent insurance	GPR	A	43,100	58,300
(dc) Emergency assistance program	GPR	A	100,000	100,000
(dd) State foster care and adoption services	GPR	A	2,011,600	2,266,500
(de) Income maintenance county administration	GPR	A	16,213,300	16,852,900
(dh) Programs for senior citizens	GPR	A	5,673,400	5,714,200
(dl) Indian aids	GPR	A	55,000	60,000
(dm) Community-based residential facility receivership supplement	GPR	S	0	0
(e) Other public assistance aids	GPR	S	7,361,800	7,645,700
(eb) General relief aid	GPR	A	3,300,000	6,800,000
(ec) Aids for interest on county construction loans	GPR	A	263,300	215,200
(ed) State supplement to federal supplemental security income program	GPR	S	53,850,200	59,807,100
(g) Child support collections	PR	C	44,475,300	49,208,900
(ga) Community-based residential facility receivership operations	PR	C	0	0
(gg) Collection remittances to local units of government	PR	C	171,000	154,300
(hh) Domestic abuse assessment	PR	A	6,000	6,000
(hx) Services for drivers, receipts	PR	A	0	0
(hy) Services for drivers, local assistance	PR	A	3,122,100	3,432,200
(hz) Services for drivers, state operations	PR	A	125,000	86,000
(i) Gifts and grants	PR	C	49,000	49,000
(j) Fees	PR	C	97,000	191,900
(jj) Searches for birth parents	PR	A	41,700	33,500
(jm) Administrative and support services	PR	A	250,000	251,800
(k) Professional training	PR-S	A	0	0
(kc) Independent living center grants	PR-S	B	607,900	607,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(km) Services for children outside departmental custody	PR-S	A	8,600	8,600
(m) Federal project operations	PR-F	C	853,700	853,700
(ma) Federal project aids	PR-F	C	188,100	188,100
(mc) Federal block grant operations	PR-F	C	8,167,800	8,169,700
(md) Federal block grant aids	PR-F	C	68,579,000	68,577,100
(n) Federal program operations	PR-F	C	13,182,900	13,485,200
(na) Federal program aids	PR-F	C	37,509,200	37,945,200
(nl) Federal program local assistance	PR-F	C	26,186,900	26,798,900
(o) Federal aid; community social and mental hygiene services	PR-F	C	64,883,500	63,917,400
(oo) Federal aid; community youth and family aids	PR-F	C	2,149,200	2,149,200
(p) Federal aids; income maintenance payments	PR-F	C	339,866,300	374,743,900
(pd) Federal aid; state foster care and adoption services	PR-F	C	680,300	683,500
(pm) Work incentive demonstration program; administration	PR-F	C	4,435,000	4,345,000
(ps) Work incentive demonstration program; aids	PR-F	C	2,533,600	4,697,500
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			515,866,400	569,704,600
PROGRAM REVENUE			618,169,100	660,584,500
FEDERAL	(		569,215,500)	( 606,554,400)
OTHER	(		48,337,100)	( 53,413,600)
SERVICE	(		616,500)	( 616,500)
TOTAL-ALL SOURCES			1,134,035,500	1,230,289,100
<b>(5) VOCATIONAL REHABILITATION SERVICES</b>				
(a) General program operations	GPR	A	3,671,400	3,666,000
(aa) Institutional repair and maintenance	GPR	A	11,500	11,500
(bm) Purchased services for clients	GPR	A	4,444,000	4,484,700
(e) Principal repayment and interest	GPR	S	27,600	26,700
(f) Utilities and heating	GPR	A	46,800	51,800
(i) Gifts and grants	PR	C	52,000	52,000
(jj) Workshop for the blind	PR	A	866,500	874,100
(m) Federal project operations	PR-F	C	880,000	880,000
(ma) Federal project aids	PR-F	C	0	0
(n) Federal program operations	PR-F	C	11,517,200	12,331,700
(na) Federal program aids	PR-F	C	10,333,500	11,836,100
(nl) Federal program local assistance	PR-F	C	0	0
(5) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,201,300	8,240,700
PROGRAM REVENUE			23,649,200	25,973,900
FEDERAL	(		22,730,700)	( 25,047,800)
OTHER	(		918,500)	( 926,100)
TOTAL-ALL SOURCES			31,850,500	34,214,600
<b>(8) GENERAL ADMINISTRATION</b>				
(a) General program operations	GPR	A	13,631,300	13,696,200
(g) Legal services collections	PR	C	22,700	22,700
(i) Gifts and grants	PR	C	0	0
(k) Administrative and support services	PR-S	A	10,718,800	10,055,300
(m) Federal project operations	PR-F	C	800,000	800,000
(n) Federal program operations	PR-F	C	3,873,700	3,168,300
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			13,631,300	13,696,200
PROGRAM REVENUE			15,415,200	14,046,300

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
FEDERAL	(	4,673,700)	( 3,968,300)
OTHER	(	22,700)	( 22,700)
SERVICE	(	10,718,800)	( 10,055,300)
TOTAL-ALL SOURCES		29,046,500	27,742,500
20.435 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		1,114,249,500	1,201,093,000
PROGRAM REVENUE		1,372,974,700	1,445,177,200
FEDERAL	(	1,187,509,000)	( 1,255,590,200)
OTHER	(	164,280,700)	( 167,817,900)
SERVICE	(	21,185,000)	( 21,769,100)
TOTAL-ALL SOURCES		2,487,224,200	2,646,270,200

**20.440 Health facilities authority**

**(1) CONSTRUCTION OF HEALTH**

**FACILITIES**

(a) General program operations	GPR	C	0	0
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			0	0
TOTAL-ALL SOURCES			0	0

**20.441 Hospital rate-setting  
commission**

**(1) HOSPITAL RATE SETTING**

(a) General program operations	GPR	A	188,200	480,200
(g) Assessments	PR	C	0	387,800
(m) Federal funds	PR-F	C	0	0
20.441 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			188,200	480,200
PROGRAM REVENUE			0	387,800
FEDERAL	(	0)	( 0)	
OTHER	(	0)	( 387,800)	
TOTAL-ALL SOURCES			188,200	868,000

**20.442 Community development finance  
authority**

**(1) COMMUNITY DEVELOPMENT**

**ASSISTANCE**

(a) General program operations	GPR	A	0	0
(b) Loan from general fund	GPR	A	150,000	0
20.442 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			150,000	0
TOTAL-ALL SOURCES			150,000	0

**20.445 Industry, labor and human  
relations, department of**

**(1) INDUSTRY, LABOR AND HUMAN**

**RELATIONS**

(a) General program operations	GPR	A	4,438,300	4,112,800
(aa) Death benefits for specified employees	GPR	S	0	0
(br) Toxic substance and infectious agent outreach program	GPR	A	20,000	20,000
(cm) Aids for private sewage system programs	GPR	A	400,000	400,000
(e) Renewable energy resource system incentive	GPR	S	1,400,000	0
(f) Death and disability benefit payments; public insurrections	GPR	S	0	0
(g) Gifts and grants	PR	C	18,000	18,000
(ga) Job service operations	PR	C	43,100	43,100
(h) Local energy resource system fees	PR	A	0	0
(ha) Worker's compensation operations	PR	A	3,005,200	3,005,400

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(i) Plumbing regulation	PR	A	1,609,100	1,609,100
(j) Safety and building operations	PR	A	5,354,600	5,523,300
(k) Fees	PR	C	0	0
(kg) Administrative services for the work incentive demonstration program	PR-S	C	3,465,000	4,620,000
(kk) Services for the work incentive demonstration program	PR-S	C	1,948,800	2,598,400
(L) Fire dues distribution	PR	C	5,100,000	5,100,000
(La) Fire dues administration	PR	A	12,900	12,900
(m) Federal funds	PR-F	C	2,433,100	2,433,100
(s) Self-insured employers liability fund	SEG	C	0	0
(t) Work injury supplemental benefit fund	SEG	C	1,823,000	1,823,000
(v) Unemployment administration fund; interest payments	SEG	C	0	0
(x) Employment security buildings and equipment	SEG-F	C	0	0
(y) Employment security--work incentive	SEG-F	C	873,000	0
(ya) Unemployment administration fund; work incentive program	SEG-F	C	1,200,900	0
(z) Unemployment administration fund; federal moneys	SEG-F	C	49,711,400	49,711,400
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			6,258,300	4,532,800
PROGRAM REVENUE			22,989,800	24,963,300
FEDERAL	(		2,433,100)	( 2,433,100)
OTHER	(		15,142,900)	( 15,311,800)
SERVICE	(		5,413,800)	( 7,218,400)
SEGREGATED FUNDS			53,608,300	51,534,400
FEDERAL	(		51,785,300)	( 49,711,400)
OTHER	(		1,823,000)	( 1,823,000)
TOTAL-ALL SOURCES			82,856,400	81,030,500
<b>(2) REVIEW COMMISSION</b>				
(a) General program operations, review commission	GPR	A	77,600	77,600
(ha) Worker's compensation operations	PR	A	122,400	122,400
(m) Federal funds	PR-F	C	48,100	48,100
(z) Unemployment administration; federal moneys for review commission	SEG-F	C	972,200	972,200
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			77,600	77,600
PROGRAM REVENUE			170,500	170,500
FEDERAL	(		48,100)	( 48,100)
OTHER	(		122,400)	( 122,400)
SEGREGATED FUNDS			972,200	972,200
FEDERAL	(		972,200)	( 972,200)
TOTAL-ALL SOURCES			1,220,300	1,220,300
<b>(3) EMPLOYMENT AND TRAINING SERVICES</b>				
(m) Federal grants and contracts	PR-F	C	0	0
(mn) Federal aids	PR-F	C	0	0
(3) P R O G R A M T O T A L S				
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
TOTAL-ALL SOURCES			0	0
<b>(4) ADJUDICATION OF CLAIMS</b>				
(a) Administration of mining damage claims	GPR	A	0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(b) Funding for mining damage claims	GPR	S	0	0
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			0	0
TOTAL-ALL SOURCES			0	0
20.445 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,335,900	4,610,400
PROGRAM REVENUE			23,160,300	25,133,800
FEDERAL	(		2,481,200)	( 2,481,200)
OTHER	(		15,265,300)	( 15,434,200)
SERVICE	(		5,413,800)	( 7,218,400)
SEGREGATED FUNDS			54,580,500	52,506,600
FEDERAL	(		52,757,500)	( 50,683,600)
OTHER	(		1,823,000)	( 1,823,000)
TOTAL-ALL SOURCES			84,076,700	82,250,800

**20.455 Justice, department of**

**(1) LEGAL SERVICES**

(a) General program operations	GPR	A	6,711,400	6,756,000
(b) Special counsel	GPR	S	172,500	172,500
(d) Legal expenses	GPR	B	515,000	545,000
(m) Federal aid	PR-F	C	932,000	932,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			7,398,900	7,473,500
PROGRAM REVENUE			932,000	932,000
FEDERAL	(		932,000)	( 932,000)
TOTAL-ALL SOURCES			8,330,900	8,405,500

**(2) LAW ENFORCEMENT SERVICES**

(a) General program operations	GPR	A	6,500,000	6,636,100
(c) Crime laboratory equipment	GPR	B	169,000	169,000
(cm) Debt service	GPR	S	123,700	391,300
(e) Aid to county-tribal law enforcement programs	GPR	B	40,000	40,000
(h) Terminal charges	PR	A	925,900	925,900
(i) Law enforcement training fund, receipts	PR	A	0	0
(j) Law enforcement training fund, local assistance	PR	A	2,146,000	2,286,000
(ja) Law enforcement training fund, state operations	PR	A	1,314,700	1,322,800
(m) Federal aid, state operations	PR-F	C	45,000	45,000
(n) Federal aid, local assistance	PR-F	C	10,000	10,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			6,832,700	7,236,400
PROGRAM REVENUE			4,441,600	4,589,700
FEDERAL	(		55,000)	( 55,000)
OTHER	(		4,386,600)	( 4,534,700)
TOTAL-ALL SOURCES			11,274,300	11,826,100

**(3) ADMINISTRATIVE SERVICES**

(a) General program operations	GPR	A	1,673,100	1,684,200
(m) Federal aid	PR-F	C	40,000	40,000

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			1,673,100	1,684,200
PROGRAM REVENUE			40,000	40,000
FEDERAL	(		40,000)	( 40,000)
TOTAL-ALL SOURCES			1,713,100	1,724,200

**(4) TRUST LANDS AND INVESTMENT**

**DIVISION**

(h) General program operations	PR	A	221,000	221,900
(m) Federal aid--flood control	PR-F	C	25,000	25,000

(4) PROGRAM TOTALS

PROGRAM REVENUE			246,000	246,900
FEDERAL	(		25,000)	( 25,000)
OTHER	(		221,000)	( 221,900)
TOTAL-ALL SOURCES			246,000	246,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
<b>(5) VICTIMS AND WITNESSES</b>				
(a) General program operations	GPR	A	263,100	265,100
(b) Awards for victims of crimes	GPR	S	1,000,000	1,000,000
(c) Reimbursement for victim and witness services	GPR	A	530,000	530,000
(g) Crime victim and witness assistance surcharge	PR	A	389,000	518,000
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,793,100	1,795,100
PROGRAM REVENUE			389,000	518,000
OTHER	(		389,000)	( 518,000)
TOTAL-ALL SOURCES			2,182,100	2,313,100
20.455 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			17,697,800	18,189,200
PROGRAM REVENUE			6,048,600	6,326,600
FEDERAL	(		1,052,000)	( 1,052,000)
OTHER	(		4,996,600)	( 5,274,600)
TOTAL-ALL SOURCES			23,746,400	24,515,800

**20.465 Military affairs, department of**

<b>(1) NATIONAL GUARD OPERATIONS</b>				
(a) General program operations	GPR	A	2,616,300	2,595,100
(b) Repair and maintenance	GPR	B	208,300	211,700
(c) Public emergencies	GPR	S	122,300	122,300
(d) Principal repayment and interest	GPR	S	199,300	289,600
(e) State service flags	GPR	A	400	400
(f) Fuel and utilities	GPR	A	1,154,000	1,454,200
(g) Military property	PR	A	35,000	35,000
(m) Federal aid	PR-F	C	2,739,700	2,749,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,300,600	4,673,300
PROGRAM REVENUE			2,774,700	2,784,000
FEDERAL	(		2,739,700)	( 2,749,000)
OTHER	(		35,000)	( 35,000)
TOTAL-ALL SOURCES			7,075,300	7,457,300
<b>(2) GUARD MEMBERS' BENEFITS</b>				
(a) Tuition grants	GPR	B	153,300	153,300
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			153,300	153,300
TOTAL-ALL SOURCES			153,300	153,300
20.465 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			4,453,900	4,826,600
PROGRAM REVENUE			2,774,700	2,784,000
FEDERAL	(		2,739,700)	( 2,749,000)
OTHER	(		35,000)	( 35,000)
TOTAL-ALL SOURCES			7,228,600	7,610,600

**20.485 Veterans affairs, department of**

<b>(1) HOME FOR VETERANS</b>				
(b) General fund supplement to institutional operations	GPR	B	805,300	513,900
(c) Fuel and utilities	GPR	A	919,600	1,023,600
(d) Cemetery maintenance and beautification	GPR	A	2,800	2,800
(e) Lease rental payments	GPR	S	22,200	22,200
(f) Principal repayment and interest	GPR	S	161,000	168,600
(g) Home exchange	PR	A	114,000	106,700
(gk) Institutional operations	PR	A	13,233,400	13,697,200
(h) Gifts and bequests	PR	C	117,800	117,800
(i) Prepaid care	PR	A	0	0
(m) Federal aid; care at veterans home	PR-F	C	3,000	3,000

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(mn) Federal projects	PR-F	C	0	0
(u) Rentals; improvements; equipment; land acquisition	SEG	A	0	0
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,910,900	1,731,100
PROGRAM REVENUE			13,468,200	13,924,700
FEDERAL	(		3,000)	( 3,000)
OTHER	(		13,465,200)	( 13,921,700)
SEGREGATED FUNDS			0	0
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			15,379,100	15,655,800
<b>(2) LOANS AND AIDS TO VETERANS</b>				
(b) Interest loss	GPR	S	0	0
(db) General fund supplement to veterans trust fund	GPR	B	0	0
(m) Federal aid projects	PR-F	C	0	0
(q) Vietnam veteran educational grants	SEG	A	277,700	229,100
(u) Administration of loans and aids to veterans	SEG	A	2,098,300	2,125,700
(vm) Veterans aids and treatment	SEG	A	1,500,000	1,500,000
(vn) Grants to veterans organizations	SEG	A	243,400	259,700
(vw) Payments to veterans organizations for claims service	SEG	A	48,000	48,000
(vx) County grants	SEG	A	168,000	168,000
(w) Home for needy veterans	SEG	C	5,000	5,000
(wc) Agent orange study	SEG	A	150,400	122,400
(wd) Operation of memorial hall	SEG	A	67,800	67,800
(x) Veterans loans; state investment board	SEG	C	0	0
(y) Veterans loans and expense	SEG	A	70,000	70,000
(z) Gifts	SEG	C	0	0
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			0	0
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
SEGREGATED FUNDS			4,628,600	4,595,700
OTHER	(		4,628,600)	( 4,595,700)
TOTAL-ALL SOURCES			4,628,600	4,595,700
<b>(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS</b>				
(b) Self insurance	GPR	S	0	0
(e) General program deficiency	GPR	S	0	0
(q) General program reimbursement	SEG	S	0	0
(r) Loan operations	SEG	A	50,000	50,000
(s) General program operations	SEG	B	1,297,500	1,311,100
(t) Principal repayment and interest	SEG	S	124,403,600	129,420,600
(u) Funding additional loans and purchasing assumed mortgages	SEG	A	0	0
(um) Veterans mortgage loan repayment fund loan to veterans trust fund	SEG	A	0	0
(v) Revenue obligation repayment	SEG	C	0	0
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			0	0
SEGREGATED FUNDS			125,751,100	130,781,700
OTHER	(		125,751,100)	( 130,781,700)
TOTAL-ALL SOURCES			125,751,100	130,781,700
2 0 . 4 8 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,910,900	1,731,100
PROGRAM REVENUE			13,468,200	13,924,700
FEDERAL	(		3,000)	( 3,000)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
OTHER	(	13,465,200)	( 13,921,700)
SEGREGATED FUNDS		130,379,700	135,377,400
OTHER	(	130,379,700)	( 135,377,400)
TOTAL-ALL SOURCES		145,758,800	151,033,200

**20.490 Wisconsin housing finance authority**

**(1) FACILITATION OF CONSTRUCTION OF HOUSING**

(a) Capital reserve fund deficiency	GPR C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0

**(2) HOUSING REHABILITATION LOAN PROGRAM**

(a) General program operations	GPR C	0	0
(q) Loan loss reserve fund	SEG C	0	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		0	0
20.490 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		0	0
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		0	0

Human Relations and Resources  
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		1,147,073,200	1,233,035,600
PROGRAM REVENUE		1,419,778,300	1,494,980,800
FEDERAL	(	1,195,073,400)	( 1,263,058,800)
OTHER	(	198,106,100)	( 202,934,500)
SERVICE	(	26,598,800)	( 28,987,500)
BOND REVENUE		0	0
SEGREGATED FUNDS		184,960,200	187,884,000
FEDERAL	(	52,757,500)	( 50,683,600)
OTHER	(	132,202,700)	( 137,200,400)
SERVICE	(	0)	( 0)
LOCAL	(	0)	( 0)
TOTAL-ALL SOURCES		2,751,811,700	2,915,900,400

**General Executive**

**20.505 Administration, department of**

**(1) SUPERVISION AND MANAGEMENT**

**Vetoed  
in Part**

(a) General program operations	GPR A	13,092,300	13,018,400
(d) Energy development and demonstration fund	GPR A	112,500	<del>112,500</del>
(e) Renewable energy resource system incentive	GPR S	1,400,000	1,600,000
(h) Anemometer loan program	PR A	0	0
(i) Services to nonstate governmental units	PR A	2,472,500	2,491,900
(im) Services to nonstate governmental units	PR A	0	0
(j) Gifts and donations	PR C	0	0
(ka) Materials and services to state agencies	PR-S A	4,784,900	4,908,400
(kb) Fleet services	PR-S A	5,263,400	5,217,200
(kd) Printing services	PR-S A	4,061,500	4,080,800
(ke) State telephone system	PR-S A	9,051,300	9,689,600
(kf) Facility operations and maintenance	PR-S A	14,439,100	15,140,700

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(kg) Records, microfilm and forms services	PR-S	A	1,017,900	1,190,200
(kh) Records storage and microfilm service	PR-S	A	0	0
(ma) Federal grants and contracts	PR-F	C	11,400	0
(mb) Federal energy grants and contracts	PR-F	C	708,500	704,900
(mc) Coastal zone management	PR-F	C	1,523,800	1,523,800
(n) Federal aid; local assistance	PR-F	C	0	0
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			14,604,800	14,730,900
PROGRAM REVENUE			43,334,300	44,947,500
FEDERAL	(		2,243,700)	( 2,228,700)
OTHER	(		2,472,500)	( 2,491,900)
SERVICE	(		38,618,100)	( 40,226,900)
TOTAL-ALL SOURCES			57,939,100	59,678,400
<b>(2) EMERGENCY GOVERNMENT SERVICES</b>				
(a) General program operations	GPR	A	599,800	599,800
(c) Disaster recovery aids	GPR	B	5,500	5,500
(g) Program services	PR	A	287,600	287,600
(m) Federal aid, state operations	PR-F	C	1,248,200	1,248,200
(n) Federal aid, local assistance	PR-F	C	1,891,200	1,891,200
(o) Federal aid, individuals and organizations	PR-F	C	22,000	22,000
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			605,300	605,300
PROGRAM REVENUE			3,449,000	3,449,000
FEDERAL	(		3,161,400)	( 3,161,400)
OTHER	(		287,600)	( 287,600)
TOTAL-ALL SOURCES			4,054,300	4,054,300
<b>(3) SPECIAL AND EXECUTIVE</b>				
COMMITTEES, COUNCILS AND				
BOARDS				
(a) General program operations	GPR	A	85,200	85,200
(b) Women's council operations	GPR	A	95,300	92,300
(g) Gifts and grants	PR	C	0	0
(h) Program fees	PR	A	0	0
(m) Federal aid	PR-F	C	0	0
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			180,500	177,500
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			180,500	177,500
<b>(4) ATTACHED DIVISIONS, BOARDS AND</b>				
COMMISSIONS				
(a) Adjudication of tax appeals	GPR	A	423,500	423,500
(b) Adjudication of equalization appeals	GPR	S	0	0
(c) Claims board; general program operations	GPR	A	19,600	19,600
(d) Claims awards	GPR	S	93,800	18,800
(ea) Radioactive waste review board operations	GPR	A	137,600	0
(eb) Waste facility siting board administrative expenses	GPR	A	53,800	53,800
(f) Hearings and appeals operations	GPR	A	262,300	262,300
(g) Gifts and grants	PR	C	0	0
(m) Federal aid	PR-F	C	0	0
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			990,600	778,000
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
OTHER	(	0)	0)
TOTAL-ALL SOURCES		990,600	778,000
20.505 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		16,381,200	16,291,700
PROGRAM REVENUE		46,783,300	48,396,500
FEDERAL	(	5,405,100)	5,390,100)
OTHER	(	2,760,100)	2,779,500)
SERVICE	(	38,618,100)	40,226,900)
TOTAL-ALL SOURCES		63,164,500	64,688,200

**20.510 Elections board**

**(1) ADMINISTRATION OF ELECTION AND**

**CAMPAIGN LAWS**

(a) General program operations	GPR B	315,400	329,800
(g) Recount fees	PR C	0	0
(q) Wisconsin election campaign fund	SEG C	46,300	986,700
20.510 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		315,400	329,800
PROGRAM REVENUE		0	0
OTHER	(	0)	0)
SEGREGATED FUNDS		46,300	986,700
OTHER	(	46,300)	986,700)
TOTAL-ALL SOURCES		361,700	1,316,500

**20.512 Employment relations, department of**

**(1) EMPLOYMENT RELATIONS**

(a) General program operations	GPR A	3,416,100	3,414,600
(i) Services to nonstate governmental units	PR A	42,200	42,200
(j) Gifts and donations	PR C	0	0
(k) Program revenue--service	PR-S A	551,500	551,500
(m) Federal grants and contracts	PR-F C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		3,416,100	3,414,600
PROGRAM REVENUE		593,700	593,700
FEDERAL	(	0)	0)
OTHER	(	42,200)	42,200)
SERVICE	(	551,500)	551,500)
TOTAL-ALL SOURCES		4,009,800	4,008,300

**(2) AFFIRMATIVE ACTION COUNCIL**

(a) General program operations	GPR A	9,700	9,700
(j) Gifts and donations	PR C	0	0
(m) Federal grants and contracts	PR-F C	0	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		9,700	9,700
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
OTHER	(	0)	0)
TOTAL-ALL SOURCES		9,700	9,700
20.512 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		3,425,800	3,424,300
PROGRAM REVENUE		593,700	593,700
FEDERAL	(	0)	0)
OTHER	(	42,200)	42,200)
SERVICE	(	551,500)	551,500)
TOTAL-ALL SOURCES		4,019,500	4,018,000

**20.515 Employee trust funds, department of**

**(1) EMPLOYEE BENEFIT PLANS**

(a) Annuity supplements and payments	GPR S	6,925,400	6,440,600
(b) Pay offset; administration	GPR A	1,200	1,200
(c) Contingencies	GPR S	0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(w) Administration	SEG	A	5,003,300	5,039,300
(x) Payments to investment board	SEG	C	1,751,100	1,929,600
2 0 . 5 1 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			6,926,600	6,441,800
SEGREGATED FUNDS			6,754,400	6,968,900
OTHER	(		6,754,400) (	6,968,900)
TOTAL-ALL SOURCES			13,681,000	13,410,700

**20.521 Ethics board**

**(1) CODE OF ETHICS**

(a) General program operations	GPR	A	128,300	227,700
(g) Gifts and grants	PR	C	0	0
2 0 . 5 2 1 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			128,300	227,700
PROGRAM REVENUE			0	0
OTHER	(		0) (	0)
TOTAL-ALL SOURCES			128,300	227,700

**20.525 Office of the governor**

**(1) EXECUTIVE ADMINISTRATION**

(a) General program operations	GPR	S	1,218,600	1,218,600
(b) Contingent fund	GPR	S	9,200	9,200
(c) Membership in national associations	GPR	S	57,400	61,400
(d) Disability board	GPR	S	0	0
(i) Gifts and grants	PR	C	0	0
(m) Federal aid	PR-F	C	0	0

(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,285,200	1,289,200
PROGRAM REVENUE			0	0
FEDERAL	(		0) (	0)
OTHER	(		0) (	0)
TOTAL-ALL SOURCES			1,285,200	1,289,200

**(2) EXECUTIVE RESIDENCE**

(a) General program operations	GPR	S	143,200	143,200
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(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			143,200	143,200
TOTAL-ALL SOURCES			143,200	143,200

**(3) LIEUTENANT GOVERNOR**

(a) General program operations	GPR	A	190,500	190,500
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(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			190,500	190,500
TOTAL-ALL SOURCES			190,500	190,500

2 0 . 5 2 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,618,900	1,622,900
PROGRAM REVENUE			0	0
FEDERAL	(		0) (	0)
OTHER	(		0) (	0)
TOTAL-ALL SOURCES			1,618,900	1,622,900

**20.532 Executive programs; governor's employment and training office**

**(1) EMPLOYMENT AND TRAINING**

**SERVICES**

(a) Employment and training programs	GPR	B	250,000	250,000
(g) Gifts and grants	PR	C	0	0
(m) Federal aid--program operations	PR-F	C	20,136,900	20,002,900
(mn) Federal aid employment and training programs	PR-F	C	40,000,000	40,000,000
(mp) Federal aid--educational programs	PR-F	C	1,500,000	1,500,000

2 0 . 5 3 2 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			250,000	250,000
PROGRAM REVENUE			61,636,900	61,502,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
FEDERAL	(		61,636,900)	( 61,502,900)
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			61,886,900	61,752,900

**20.536 Investment board**

**(1) INVESTMENT OF FUNDS**

(k) General program operations	PR-S	A	1,944,000	2,142,300
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,944,000	2,142,300
SERVICE	(		1,944,000)	( 2,142,300)
TOTAL-ALL SOURCES			1,944,000	2,142,300

**20.546 Personnel board**

**(1) PERSONNEL REGULATION**

(a) General program operations	GPR	A	29,100	29,100
20.546 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			29,100	29,100
TOTAL-ALL SOURCES			29,100	29,100

**20.547 Personnel commission**

**(1) REVIEW OF PERSONNEL DECISIONS**

(a) General program operations	GPR	A	426,500	424,100
(m) Federal aid	PR-F	C	0	0
20.547 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			426,500	424,100
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
TOTAL-ALL SOURCES			426,500	424,100

**20.550 Public defender board**

**(1) LEGAL ASSISTANCE**

(a) Program administration	GPR	A	260,000	266,000
(b) Appellate representation	GPR	A	1,090,400	1,091,300
(c) Trial representation	GPR	A	7,590,500	7,624,200
(d) Private bar and investigator reimbursement	GPR	A	6,979,200	6,979,100
(e) Indigency determinations	GPR	A	20,000	20,000
(g) Gifts and grants	PR	C	0	0
(h) Contractual agreements	PR-S	A	0	0
(m) Federal aid	PR-F	C	0	0
20.550 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			15,940,100	15,980,600
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
OTHER	(		0)	( 0)
SERVICE	(		0)	( 0)
TOTAL-ALL SOURCES			15,940,100	15,980,600

**20.566 Revenue, department of**

**(1) COLLECTION OF STATE TAXES**

(a) General program operations	GPR	A	25,844,800	25,856,400
(g) Administration of local sales tax	PR	A	0	0
(h) Debt collection	PR	A	100,000	100,000
(hm) Collections from nonresidents	PR	C	130,000	130,000
(hp) Administration of endangered resources voluntary payments	PR	A	16,900	16,900
(i) Gifts and grants	PR	C	0	0
(m) Federal funds; state operations	PR-F	C	0	0
(u) Motor fuel tax administration	SEG	A	809,400	807,600
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			25,844,800	25,856,400
PROGRAM REVENUE			246,900	246,900
FEDERAL	(		0)	( 0)
OTHER	(		246,900)	( 246,900)
SEGREGATED FUNDS			809,400	807,600

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
OTHER	(		809,400)	( 807,600)
TOTAL-ALL SOURCES			26,901,100	26,910,900
<b>(2) STATE AND LOCAL FINANCE</b>				
(a) General program operations	GPR	A	6,410,900	6,415,600
(g) Auditing of local units of government	PR	A	1,863,700	1,864,300
(h) Reassessments	PR	A	286,000	285,900
(hi) Wisconsin property assessment manual	PR	A	32,800	107,500
(i) Gifts and grants	PR	C	0	0
(m) Federal funds; state operations	PR-F	C	0	0
(2) PROGRAM			<b>TOTALS</b>	
GENERAL PURPOSE REVENUES			6,410,900	6,415,600
PROGRAM REVENUE			2,182,500	2,257,700
FEDERAL	(		0)	( 0)
OTHER	(		2,182,500)	( 2,257,700)
TOTAL-ALL SOURCES			8,593,400	8,673,300
<b>(3) ADMINISTRATIVE SERVICES</b>				
(a) General program operations	GPR	A	7,661,100	7,663,900
(c) Expert professional services	GPR	B	44,300	44,300
(g) Services	PR	A	31,800	31,800
(gm) Reciprocity agreement and publications	PR	A	51,800	113,400
(gp) Data processing costs for endangered resources				
voluntary payments	PR	A	4,000	10,000
(i) Gifts and grants	PR	C	0	0
(m) Federal funds; state operations	PR-F	C	0	0
(3) PROGRAM			<b>TOTALS</b>	
GENERAL PURPOSE REVENUES			7,705,400	7,708,200
PROGRAM REVENUE			87,600	155,200
FEDERAL	(		0)	( 0)
OTHER	(		87,600)	( 155,200)
TOTAL-ALL SOURCES			7,793,000	7,863,400
<b>(7) INVESTMENT AND LOCAL IMPACT FUND</b>				
(a) Investment and local impact fund administrative expenses	GPR	A	48,700	49,700
(e) Investment and local impact fund supplement	GPR	A	0	0
(n) Federal mining revenue	PR-F	C	0	0
(v) Investment and local impact fund	SEG	C	0	0
(7) PROGRAM			<b>TOTALS</b>	
GENERAL PURPOSE REVENUES			48,700	49,700
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
SEGREGATED FUNDS			0	0
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			48,700	49,700
<b>(8) PROPERTY TAX DEFERRAL</b>				
(a) Administrative supplement	GPR	A	0	0
(q) Program administration	SEG	C	0	0
(w) Revenue obligation repayment	SEG	C	0	0
(8) PROGRAM			<b>TOTALS</b>	
GENERAL PURPOSE REVENUES			0	0
SEGREGATED FUNDS			0	0
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			0	0
20566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			40,009,800	40,029,900
PROGRAM REVENUE			2,517,000	2,659,800
FEDERAL	(		0)	( 0)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
OTHER	(		2,517,000)	( 2,659,800)
SEGREGATED FUNDS			809,400	807,600
OTHER	(		809,400)	( 807,600)
TOTAL-ALL SOURCES			43,336,200	43,497,300

**20.575 Secretary of state**

**(1) MANAGING AND OPERATING PROGRAM**

**RESPONSIBILITIES**

(a) General program operations	GPR	A	677,400	677,400
(g) Program fees	PR	C	367,700	351,200
(gm) Annual report surcharge	PR	C	202,000	0
(h) Search fees	PR	A	56,700	46,200
(ka) Agency collections	PR-S	A	29,400	27,400
2 0 . 5 7 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			677,400	677,400
PROGRAM REVENUE			655,800	424,800
OTHER	(		626,400)	( 397,400)
SERVICE	(		29,400)	( 27,400)
TOTAL-ALL SOURCES			1,333,200	1,102,200

**20.585 Treasurer, state**

**(1) CUSTODIAN OF STATE FUNDS**

(a) General program operations	GPR	A	405,700	408,100
(b) Insurance	GPR	A	900	900
(e) Unclaimed property; contingency appropriation	GPR	S	0	0
(g) Processing services	PR	A	5,600	5,600
(j) Unclaimed property; claims and administrative expenses	PR	C	92,000	83,200
2 0 . 5 8 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			406,600	409,000
PROGRAM REVENUE			97,600	88,800
OTHER	(		97,600)	( 88,800)
TOTAL-ALL SOURCES			504,200	497,800

**General Executive**

**FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES			86,535,700	86,138,300
PROGRAM REVENUE			114,228,300	115,808,800
FEDERAL	(		67,042,000)	( 66,893,000)
OTHER	(		6,043,300)	( 5,967,700)
SERVICE	(		41,143,000)	( 42,948,100)
BOND REVENUE			0	0
SEGREGATED FUNDS			7,610,100	8,763,200
FEDERAL	(		0)	( 0)
OTHER	(		7,610,100)	( 8,763,200)
SERVICE	(		0)	( 0)
LOCAL	(		0)	( 0)
TOTAL-ALL SOURCES			208,374,100	210,710,300

**Judicial**

**20.625 Circuit courts**

**(1) COURT OPERATIONS**

(a) Circuit courts	GPR	S	20,185,200	20,245,300
(b) Permanent reserve judges	GPR	A	80,000	80,000
(m) Federal aid	PR-F	C	0	0

**(1) PROGRAM TOTALS**

GENERAL PURPOSE REVENUES			20,265,200	20,325,300
PROGRAM REVENUE			0	0
FEDERAL	(		0)	( 0)
TOTAL-ALL SOURCES			20,265,200	20,325,300

**(3) CHILD CUSTODY HEARINGS AND**

**STUDIES IN OTHER STATES**

(a) General program operations	GPR	S	0	0
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
TOTAL-ALL SOURCES		0	0
20.625 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		20,265,200	20,325,300
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		20,265,200	20,325,300

**20.645 Judicial council**

**(1) ADVISORY SERVICES TO THE**

**COURTS AND LEGISLATURE**

(a) General program operations	GPR A	98,800	98,800
(m) Federal aid	PR-F C	0	0
20.645 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		98,800	98,800
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		98,800	98,800

**20.660 Court of appeals**

**(1) APPELLATE PROCEEDINGS**

(a) General program operations	GPR S	2,466,100	2,490,300
(m) Federal aid	PR-F C	0	0
20.660 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		2,466,100	2,490,300
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		2,466,100	2,490,300

**20.665 Judicial commission**

**(1) JUDICIAL CONDUCT**

(a) General program operations	GPR A	91,100	5,300
(c) Contractual agreements	GPR B	36,800	0
(m) Federal aid	PR-F C	0	0
20.665 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		127,900	5,300
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		127,900	5,300

**20.680 Supreme court**

**(1) SUPREME COURT PROCEEDINGS**

(a) General program operations	GPR S	1,630,700	1,643,300
(m) Federal aid	PR-F C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		1,630,700	1,643,300
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		1,630,700	1,643,300

**(2) DIRECTOR OF STATE COURTS**

(a) General program operations	GPR A	1,946,300	1,965,000
(b) Judicial planning and research	GPR B	15,000	0
(g) Gifts and grants	PR C	0	0
(h) Materials and services	PR A	6,000	7,000
(i) Municipal judge training	PR A	30,000	30,000
(m) Federal aid	PR-F C	0	0
(q) Patients compensation panels	SEG C	507,600	519,400
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		1,961,300	1,965,000
PROGRAM REVENUE		36,000	37,000
FEDERAL	(	0)	0)
OTHER	(	36,000)	37,000)
SEGREGATED FUNDS		507,600	519,400
OTHER	(	507,600)	519,400)
TOTAL-ALL SOURCES		2,504,900	2,521,400

**(3) PROFESSIONAL COMPETENCE AND**

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
<b>RESPONSIBILITY</b>				
(g) Board of attorneys professional competence	PR	C	136,800	142,000
(h) Board of attorneys professional responsibility	PR	C	535,300	541,600
(3) P R O G R A M T O T A L S				
PROGRAM REVENUE			672,100	683,600
OTHER	(		672,100)	( 683,600)
TOTAL-ALL SOURCES			672,100	683,600
<b>(4) LAW LIBRARY</b>				
(a) General program operations	GPR	A	318,600	338,000
(g) Library collections and services	PR	A	10,500	12,000
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			318,600	338,000
PROGRAM REVENUE			10,500	12,000
OTHER	(		10,500)	( 12,000)
TOTAL-ALL SOURCES			329,100	350,000
2 0 . 6 8 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			3,910,600	3,946,300
PROGRAM REVENUE			718,600	732,600
FEDERAL	(		0)	( 0)
OTHER	(		718,600)	( 732,600)
SEGREGATED FUNDS			507,600	519,400
OTHER	(		507,600)	( 519,400)
TOTAL-ALL SOURCES			5,136,800	5,198,300
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			26,868,600	26,866,000
PROGRAM REVENUE			718,600	732,600
FEDERAL	(		0)	( 0)
OTHER	(		718,600)	( 732,600)
SERVICE	(		0)	( 0)
BOND REVENUE			0	0
SEGREGATED FUNDS			507,600	519,400
FEDERAL	(		0)	( 0)
OTHER	(		507,600)	( 519,400)
SERVICE	(		0)	( 0)
LOCAL	(		0)	( 0)
TOTAL-ALL SOURCES			28,094,800	28,118,000

**Legislative**

**20.765 Legislature**

**(1) ENACTMENT OF STATE LAWS**

(a) General program operations--assembly	GPR	S	8,661,200	8,714,700
(b) General program operations--senate	GPR	S	5,795,100	5,836,000
(c) Contingent expenses	GPR	B	2,000	2,000
(d) Legislative documents	GPR	S	2,721,700	2,721,800

(1) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			17,180,000	17,274,500
TOTAL-ALL SOURCES			17,180,000	17,274,500

**(2) SPECIAL STUDY GROUPS**

(a) Retirement committees	GPR	A	99,000	99,600
(ab) Retirement actuarial studies	GPR	B	6,000	6,000
(b) Commission on uniform state laws	GPR	B	17,100	18,100
(c) Interstate cooperation commission	GPR	B	0	0
(ca) Interstate cooperation commission; contingent expenditures	GPR	B	0	0
(cb) Membership in national				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
associations	GPR	S	118,800	122,400
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			240,900	246,100
TOTAL-ALL SOURCES			240,900	246,100
<b>(3) LEGISLATIVE SERVICE AGENCIES</b>				
(a) Revisor of statutes bureau	GPR	B	298,300	298,500
(b) Legislative reference bureau	GPR	B	1,304,900	1,305,000
(c) Legislative audit bureau	GPR	B	1,947,700	1,947,900
(d) Legislative fiscal bureau	GPR	B	1,114,200	1,128,400
(e) Legislative council	GPR	B	1,182,400	1,236,900
(ec) Council contingent expenses	GPR	B	500	500
(f) Joint committee on legislative organization	GPR	B	0	0
(g) Gifts and grants to service agencies	PR	C	0	0
(ka) Charges for requested audits	PR-S	A	270,400	272,100
(m) Federal aid	PR-F	C	0	0
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			5,848,000	5,917,200
PROGRAM REVENUE			270,400	272,100
FEDERAL	(		0)	0)
OTHER	(		0)	0)
SERVICE	(		270,400)	272,100)
TOTAL-ALL SOURCES			6,118,400	6,189,300
2 0 . 7 6 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			23,268,900	23,437,800
PROGRAM REVENUE			270,400	272,100
FEDERAL	(		0)	0)
OTHER	(		0)	0)
SERVICE	(		270,400)	272,100)
TOTAL-ALL SOURCES			23,539,300	23,709,900
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			23,268,900	23,437,800
PROGRAM REVENUE			270,400	272,100
FEDERAL	(		0)	0)
OTHER	(		0)	0)
SERVICE	(		270,400)	272,100)
BOND REVENUE			0	0
SEGREGATED FUNDS			0	0
FEDERAL	(		0)	0)
OTHER	(		0)	0)
SERVICE	(		0)	0)
LOCAL	(		0)	0)
TOTAL-ALL SOURCES			23,539,300	23,709,900

### General Appropriations

#### 20.835 Shared revenue and tax relief

##### (1) SHARED REVENUE ACCOUNT AND

###### MINIMUM PAYMENTS

(b) Minimum guarantee	GPR	S	1,400,000	0
(c) Municipal and county guarantee supplement	GPR	S	0	0
(d) Shared revenue account	GPR	S	714,600,000	714,600,000
(e) Corrections of shared revenue payments	GPR	S	75,000	75,000
(f) 1984 minimum guarantee	GPR	A	0	8,600,000

###### (1) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES			716,075,000	723,275,000
TOTAL-ALL SOURCES			716,075,000	723,275,000

##### (2) TAX RELIEF

(a) Wisconsin state property tax relief	GPR	S	63,429,300	281,000,000
(b) Sales tax credit	GPR	S	40,000,000	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(bm) Omitted personal property	GPR	S	0	0
(bs) Personal property supplement-municipalities	GPR	S	183,200	0
(c) Homestead tax credit	GPR	S	93,200,000	90,600,000
<del>(d) Home rehabilitation credit</del>	<del>GPR</del>	<del>S</del>	<del>0</del>	<del>0</del>
(dm) Farm property tax credit	GPR	S	20,350,000	24,750,000
(e) Renewable energy resource system tax credit	GPR	S	0	0
(em) Property tax credit	GPR	S	0	0
(ep) Cigarette tax refunds	GPR	S	0	0
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			217,162,500	396,350,000
TOTAL-ALL SOURCES			217,162,500	396,350,000
<b>(3) LOCAL SALES TAX</b>				
(f) Distribution	GPR	A	0	0
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			0	0
TOTAL-ALL SOURCES			0	0
20.835 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			933,237,500	1,119,625,000
TOTAL-ALL SOURCES			933,237,500	1,119,625,000

Vetoed  
in Part

**20.855 Miscellaneous appropriations**

**(4) TAX, INTEREST AND ASSISTANCE**

**PAYMENTS**

(a) Interest on overpayment of taxes	GPR	S	515,000	248,000
(am) Transfer to transportation fund; administrative costs	GPR	B	69,000	69,000
(b) Election campaign payments	GPR	C	525,000	525,000
(c) Minnesota income tax reciprocity	GPR	S	15,000,000	14,000,000
(ca) Minnesota income tax reciprocity bench mark	GPR	B	39,800	101,400
(d) Interest on prorated local government payments	GPR	S	0	0
(di) Interest payments to program revenue accounts	GPR	S	9,461,100	9,679,400
(dm) Interest payments to segregated funds	GPR	S	15,399,100	11,791,100
(e) Payments for municipal services	GPR	A	8,100,000	8,100,000
(f) County assessment aid	GPR	S	627,700	667,400
(fa) General fund loan to the investment and local impact fund board	GPR	C	200,000	58,300
(q) Terminal tax distribution	SEG	S	717,500	717,500
(u) Interest payments to general fund	SEG	S	0	0

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			49,936,700	45,239,600
SEGREGATED FUNDS			717,500	717,500
OTHER	(		717,500)	( 717,500)
TOTAL-ALL SOURCES			50,654,200	45,957,100

**(5) STATE HOUSING AUTHORITY**

**RESERVE FUND**

(a) Enhancement of credit of authority debt	GPR	A	0	0
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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
(5) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
<b>(6) MISCELLANEOUS RECEIPTS</b>			
(g) Gifts and grants	PR C	0	0
(h) Vehicle and aircraft receipts	PR A	0	0
(i) Miscellaneous program revenue	PR A	0	0
(j) Custody accounts	PR C	0	0
(m) Federal aid	PR-F C	0	0
(6) PROGRAM TOTALS			
PROGRAM REVENUE		0	0
FEDERAL	(	0) (	0)
OTHER	(	0) (	0)
TOTAL-ALL SOURCES		0	0
<b>(7) DEBT COLLECTIONS</b>			
(j) Delinquent support payments	PR C	0	0
(7) PROGRAM TOTALS			
PROGRAM REVENUE		0	0
OTHER	(	0) (	0)
TOTAL-ALL SOURCES		0	0
<b>(8) DATA PROCESSING SERVICE CENTERS</b>			
(k) Wilson street regional data processing service center	PR-S A	5,411,900	5,810,500
(ka) Hill farms regional data processing service center	PR-S A	5,430,600	5,419,300
(kb) GEF regional data processing service center	PR-S A	0	0
(8) PROGRAM TOTALS			
PROGRAM REVENUE		10,842,500	11,229,800
SERVICE	(	10,842,500) (	11,229,800)
TOTAL-ALL SOURCES		10,842,500	11,229,800
20.855 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		49,936,700	45,239,600
PROGRAM REVENUE		10,842,500	11,229,800
FEDERAL	(	0) (	0)
OTHER	(	0) (	0)
SERVICE	(	10,842,500) (	11,229,800)
SEGREGATED FUNDS		717,500	717,500
OTHER	(	717,500) (	717,500)
TOTAL-ALL SOURCES		61,496,700	57,186,900

**20.865 Program supplements**

**(1) EMPLOYE COMPENSATION AND**

**SUPPORT**

(a) Judgments and legal expenses	GPR S	50,000	50,000
(c) Compensation plan adjustments	GPR S	0	0
(ci) University system faculty and academic pay adjustments	GPR S	0	0
(cm) Collective bargaining agreements	GPR S	0	0
(d) Employer fringe benefit costs	GPR S	0	0
(di) Employer health insurance costs	GPR S	0	0
(dm) Risk management--worker's compensation	GPR S	2,540,000	2,540,000
(f) Risk management--state property	GPR S	3,500,000	2,200,000
(fm) Risk management--liability	GPR S	1,400,000	1,500,000
(fn) Physically handicapped supplements	GPR B	7,500	7,500
(g) Judgments and legal expenses; program revenues	PR S	0	0
(i) Compensation plan adjustments; program revenues	PR S	0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
(ic) University system employe pay adjustments; program revenues	PR	S	0	0
(im) Collective bargaining agreements; program revenues	PR	S	0	0
(j) Employer fringe benefit costs; program revenues	PR	S	0	0
(ji) Employer health insurance costs; program revenues	PR	S	0	0
(k) Risk management--worker's compensation; program revenues	PR	S	0	0
(kg) Risk management--state property; program revenues	PR	S	0	0
(kr) Risk management--liability; program revenues	PR	S	0	0
(Ln) Physically handicapped supplements; program revenues	PR	S	0	0
(q) Judgments and legal expenses; segregated revenues	SEG	S	0	0
(s) Compensation plan adjustments; segregated revenues	SEG	S	0	0
(si) University system employe pay adjustments; segregated revenues	SEG	S	0	0
(sm) Collective bargaining agreements; segregated revenues	SEG	S	0	0
(t) Employer fringe benefit costs; segregated revenues	SEG	S	0	0
(ti) Employer health insurance costs; segregated revenues	SEG	S	0	0
(u) Risk management--worker's compensation; segregated revenues	SEG	S	0	0
(ug) Risk management--state property; segregated revenues	SEG	S	0	0
(ur) Risk management--liability; segregated revenues	SEG	S	0	0
(vn) Physically handicapped supplements; segregated revenues	SEG	S	0	0
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			7,497,500	6,297,500
PROGRAM REVENUE			0	0
OTHER	(	)	0	0
SEGREGATED FUNDS			0	0
OTHER	(	)	0	0
TOTAL-ALL SOURCES			7,497,500	6,297,500
<b>(2) CONTRACTUAL SERVICES</b>				
(a) Space management supplements	GPR	B	1,172,300	1,554,200
(ag) State-owned office rent supplement	GPR	B	610,600	1,783,100
(b) Parking rental costs	GPR	A	54,600	54,600
(d) State deposit fund	GPR	S	0	0
(e) Maintenance of capitol and executive residence	GPR	A	2,901,500	3,037,800
(eb) Executive residence furnishings replacement	GPR	C	10,000	10,000
(em) Groundwater survey and analysis	GPR	A	305,400	305,400
(g) Space management supplements; program revenues	PR	S	0	0
(gg) State-owned office rent supplement; program revenues	PR	S	0	0
(j) State deposit fund; program				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1983-84	1984-85
revenues	PR	S	0	0
(q) Space management supplements; segregated revenues	SEG	S	0	0
(qg) State-owned office rent supplement; segregated revenues	SEG	S	0	0
(t) State deposit fund; segregated revenues	SEG	S	0	0
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			5,054,400	6,745,100
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
SEGREGATED FUNDS			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			5,054,400	6,745,100
<b>(3) TAXES, ASSESSMENTS AND SPECIAL CHARGES</b>				
(a) Property taxes	GPR	S	0	0
(b) Assessments	GPR	B	236,600	660,000
(g) Property taxes; program revenues	PR	S	0	0
(h) Assessments; program revenues	PR	S	0	0
(q) Property taxes; segregated revenues	SEG	S	0	0
(r) Assessments; segregated revenues	SEG	S	0	0
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			236,600	660,000
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
SEGREGATED FUNDS			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			236,600	660,000
<b>(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS</b>				
(a) General purpose revenue funds general program supplementation	GPR	B	606,900	601,900
(g) Program revenue funds general program supplementation	PR	S	0	0
(u) Segregated funds general program supplementation	SEG	S	0	0
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			606,900	601,900
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
SEGREGATED FUNDS			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			606,900	601,900
<b>(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS</b>				
(g) Supplementation of program revenue and program rev.-service appropriations	PR	S	0	0
(8) P R O G R A M T O T A L S				
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			0	0
2 0 . 8 6 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			13,395,400	14,304,500
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
SEGREGATED FUNDS			0	0

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
OTHER	(	0)	0)
TOTAL-ALL SOURCES		13,395,400	14,304,500

**20.866 Public debt**

**(1) BOND SECURITY AND REDEMPTION**

FUND

(u) Principal repayment and interest	SEG S	257,546,300	302,585,500
Allocated from agency appropriations	SEG S	-257,546,300	-302,585,500
NET APPROPRIATION		0	0
20.866 DEPARTMENT TOTALS			
SEGREGATED FUNDS		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		0	0

**20.867 Building commission**

**(1) STATE OFFICE BUILDINGS**

(a) Principal repayment and interest; housing of state agencies	GPR S	0	0
(b) Principal repayment and interest; capitol and executive residence	GPR S	630,200	610,000
(g) Agency collections	PR-S C	0	0
(h) Lease rental payments	PR-S S	137,000	137,000
(i) Principal repayment and interest	PR-S S	7,712,200	9,225,600
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		630,200	610,000
PROGRAM REVENUE		7,849,200	9,362,600
SERVICE	(	7,849,200)	9,362,600)
TOTAL-ALL SOURCES		8,479,400	9,972,600

**(2) BUILDING TRUST FUND**

(f) Facilities maintenance and improvement	GPR B	1,614,200	1,614,200
(q) Building trust fund	SEG C	0	0
(r) Planning and design	SEG C	0	0
(u) Aids for buildings	SEG C	0	0
(v) Building program funding contingency	SEG C	6,000,000	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		1,614,200	1,614,200
SEGREGATED FUNDS		6,000,000	0
OTHER	(	6,000,000)	0)
TOTAL-ALL SOURCES		7,614,200	1,614,200

**(3) STATE BUILDING PROGRAM**

(a) Principal repayment and interest	GPR S	412,500	3,712,800
(b) Principal repayment and interest	GPR S	90,500	87,700
(c) Lease rental payments	GPR S	0	0
(g) Principal repayment and interest	PR-S S	0	0
(h) Principal repayment and interest	PR-S S	0	0
(i) Principal repayment and interest	PR-S S	435,000	4,386,300
(w) Bonding services	SEG S	611,200	611,200
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		503,000	3,800,500
PROGRAM REVENUE		435,000	4,386,300
SERVICE	(	435,000)	4,386,300)
SEGREGATED FUNDS		611,200	611,200
OTHER	(	611,200)	611,200)
TOTAL-ALL SOURCES		1,549,200	8,798,000

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1983-84	1984-85
<b>(4) CAPITAL IMPROVEMENT FUND</b>			
INTEREST EARNINGS			
(q) Funding in lieu of borrowing	SEG C	0	0
	(4) PROGRAM TOTALS		
SEGREGATED FUNDS		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		0	0
20.867 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		2,747,400	6,024,700
PROGRAM REVENUE		8,284,200	13,748,900
SERVICE	(	8,284,200)	( 13,748,900)
SEGREGATED FUNDS		6,611,200	611,200
OTHER	(	6,611,200)	( 611,200)
TOTAL-ALL SOURCES		17,642,800	20,384,800
General Appropriations			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		999,317,000	1,185,193,800
PROGRAM REVENUE		19,126,700	24,978,700
FEDERAL	(	0)	( 0)
OTHER	(	0)	( 0)
SERVICE	(	19,126,700)	( 24,978,700)
BOND REVENUE		0	0
SEGREGATED FUNDS		7,328,700	1,328,700
FEDERAL	(	0)	( 0)
OTHER	(	7,328,700)	( 1,328,700)
SERVICE	(	0)	( 0)
LOCAL	(	0)	( 0)
TOTAL-ALL SOURCES		1,025,772,400	1,211,501,200

SECTION 123. 20.115 (4) (c) of the statutes is repealed.

SECTION 124. 20.115 (7) (title) of the statutes is amended to read:

20.115 (7) (title) LAND CONSERVATION AND FARMLAND PRESERVATION.

SECTION 124m. 20.115 (7) (b) of the statutes is amended to read:

20.115 (7) (b) *Preliminary mapping; agricultural land preservation.* Biennially, the amounts in the schedule to carry out the preliminary mapping function under s. 91.05 after July 1, 1983, and to provide funds to counties for the development and revision of agricultural preservation plans under ~~s.~~ ss. 91.63 and 91.65 (2).

SECTION 124p. 20.115 (7) (d) of the statutes is amended to read:

20.115 (7) (d) *Erosion control program.* ~~The~~ As a continuing appropriation, the amounts in the schedule for the erosion control program under s. 92.10.

SECTION 124r. 20.115 (7) (e) of the statutes is created to read:

20.115 (7) (e) *Debt service — animal waste water pollution bonds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing animal waste water pollution grants under s. 92.15.

SECTION 125. 20.115 (8) (g) of the statutes is renumbered 20.115 (7) (g).

SECTION 126. 20.143 (1) (d) of the statutes is created to read:

20.143 (1) (d) *Labor training grants.* Biennially, the amounts in the schedule for labor training programs under s. 560.095.

SECTION 127. 20.143 (1) (e) of the statutes is created to read:

20.143 (1) (e) *Technology development grants.* Biennially, the amounts in the schedule for the purposes of s. 560.085.

SECTION 128. 20.143 (1) (g) of the statutes is amended to read:

20.143 (1) (g) *Gifts and grants*. All moneys received from gifts, donations, grants, bequests and devises ~~and~~, all conference and program services proceeds and all proceeds from sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 128m. 20.143 (2) (c) of the statutes is created to read:

20.143 (2) (c) *Winter tourism marketing*. Biennially, the amounts in the schedule for winter tourism marketing, including 1st class mail response to inquiries resulting from winter tourism promotion activities.

SECTION 129. 20.143 (2) (g) of the statutes is amended to read:

20.143 (2) (g) *Gifts and grants*. All moneys received from gifts, donations, grants, bequests and devises ~~and~~, all conference and program services proceeds and all proceeds from sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 130. 20.143 (3) (b) of the statutes is repealed.

SECTION 131. 20.143 (3) (g) of the statutes is amended to read:

20.143 (3) (g) *Gifts, grants and program services*. All moneys received from gifts, donations, grants, bequests and devises ~~and~~, all conference and program services proceeds and all proceeds from sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 132. 20.143 (3) (j) of the statutes is amended to read:

20.143 (3) (j) *Housing loans — aids to localities*. ~~The amounts in the schedule All moneys transferred from par. (Lm) for other loans to localities which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b). All moneys received as repayment of loans made under par. (f) and s. 560.04 (3) (b) shall be credited to this appropriation.~~

SECTION 133. 20.143 (3) (jm) of the statutes is renumbered 20.143 (3) (v) and amended to read:

20.143 (3) (v) (title) *Housing project revenue obligation loans*. ~~All moneys received~~ As a continuing appropriation, all proceeds from the issuance of revenue obligations authorized issued under s. 560.04 (3) (b) and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, related reserve funds and to provide loans to sponsors of low- and moderate-income housing projects. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 134. 20.143 (3) (L) of the statutes is amended to read:

20.143 (3) (L) *Housing loans — aids to organizations*. ~~The amounts in the schedule All moneys transferred from par. (Lm) for other loans to organizations which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b). All moneys received as repayment of loans made under par. (fa) and s. 560.04 (3) (b) shall be credited to this appropriation.~~

SECTION 135. 20.143 (3) (Lm) of the statutes is created to read:

20.143 (3) (Lm) *Housing loans, receipts*. All money received from repayment of loans under s. 560.04 (3) (b) funded from the appropriation under par. (j) or (L), for other loans to sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b). These moneys may be transferred to pars. (j) and (L) by the secretary of administration for expenditures based upon determinations by the department of development.

SECTION 136. 20.143 (3) (w) of the statutes is amended to read:

20.143 (3) (w) (title) *Housing project revenue obligation repayment*. All moneys received in repayment of loans made under s. 560.04 (3) (b) from the appropriation under par. ~~(jm)~~ (v), to retire and provide reserves for revenue obligations authorized under s. 560.04 (3) (b) and issued under subch. II of ch. 18.

SECTION 137. 20.143 (4) (g) of the statutes is amended to read:

20.143 (4) (g) *Gifts, grants and program services*. All moneys received from gifts, donations, grants, bequests and devises ~~and~~ all conference and program services proceeds and all proceeds from sales of publications and promotional materials to carry out the purposes for which made or collected.

SECTION 137m. 20.143 (4) (h) of the statutes is created to read:

20.143 (4) (h) *Orange book*. All moneys received under s. 560.03 (16) for purposes of s. 560.03 (16) and to reimburse par. (a) for any costs incurred in publishing and distributing the list under s. 560.03 (16).

SECTION 138. 20.143 (4) (k) of the statutes is created to read:

20.143 (4) (k) *Supporting services*. All moneys received from the interagency and intra-agency sale of materials or services for supporting services operations.

SECTION 139m. 20.145 (7) (u) of the statutes is amended to read:

20.145 (7) (u) *Administration*. As a continuing appropriation, the amounts in the schedule from the health insurance risk sharing plan fund for the administration of subch. II of ch. 619. ~~No funds may be expended under this paragraph after June 30, 1983, or the general effective date of the 1983-85 biennial budget act, whichever is later.~~

SECTION 139n. 20.145 (7) (v) of the statutes is repealed.

SECTION 140. 20.165 (2) of the statutes is renumbered 20.165 (1).

SECTION 141. 20.185 (1) (g) of the statutes is amended to read:

20.185 (1) (g) *General program operations*. The amounts in the schedule for the regulation of the sale of securities, corporate take-over offers under ch. 552 and franchise investments under ch. 553. ~~Ninety percent of all~~ All moneys received under ss. 551.33 (4), 551.52, 552.15 and 553.72 shall be credited to this appropriation, but any balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 142. 20.215 (1) (c) of the statutes is created to read:

20.215 (1) (c) *Portraits of governors*. Biennially, the amounts in the schedule to pay for costs associated with the selection and purchase of portraits of governors under s. 44.53 (1) (g).

SECTION 144. 20.235 (1) (d) of the statutes is amended to read:

20.235 (1) (d) *Dental education contract*. The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of ~~\$4,374 in 1981-82 and \$4,724 in 1982-83~~ \$4,866 in 1983-84 and \$5,012 in 1984-85 shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is ~~450 in 1981-82 and 400 in 1982-83~~ 350 in each fiscal year.

SECTION 144g. 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) *Wisconsin higher education grants*. The amounts in the schedule to carry out the purposes of s. 39.435, less the amounts charged to the appropriation under par. (m).

SECTION 144m. 20.235 (1) (ff) of the statutes is repealed.

SECTION 144r. 20.235 (1) (m) of the statutes is amended to read:

20.235 (1) (m) *Federal aid; grants.* All federal special allowance moneys as received from the additional purpose fund of student loan revenue obligation bonds and governed by 1978 Wisconsin building commission resolution 5, adopted June 20, 1978, after paying or providing for the payment of all obligations pledged to be paid with federal special allowance revenues for revenue obligations issued under subch. II of ch. 18, and after paying for budgeted administrative expenditures, for the purposes of s. 39.435. This appropriation shall be fully utilized annually and the balance of any grant payments made under s. 39.435 shall be charged to the appropriation under par. (fe).

SECTION 144v. 20.235 (1) (n) of the statutes is created to read:

20.235 (1) (n) *Federal aid; grants overdrafts.* From the unused amounts of special allowance revenues made available under chapter 20, laws of 1981, section 2022 (1), as determined by the building commission, the amount that is not required to refund revenue obligations issued under s. 39.374, for the purpose of correcting overdrafts in the appropriation under par. (m).

SECTION 145. 20.235 (1) (s) of the statutes is amended to read:

20.235 (1) (s) (title) *State direct revenue obligation loans.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 39.37 and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, to provide related reserve funds and for the purpose of s. 39.32. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 146. 20.235 (1) (t) of the statutes is amended to read:

20.235 (1) (t) (title) *Wisconsin health education revenue obligation loans.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 39.374 and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, to provide related reserve funds and for the purposes of s. 39.325. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 147. 20.235 (2) (ia) of the statutes is amended to read:

20.235 (2) (ia) *Centralized lender collections, fees.* The amounts in the schedule for general program operations. All moneys received from institutions, lenders, agencies and secondary market purchasers for or related to the collection or administration of student loan programs shall be credited to this appropriation. ~~The unencumbered balance of this appropriation on June 30 of each year shall lapse to the general fund.~~

SECTION 148. 20.235 (2) (n) of the statutes is amended to read:

20.235 (2) (n) *Federal aid; state operations.* All moneys received from federal funds under s. 16.54 as authorized by the governor to carry out the purpose for which made. ~~The executive secretary of the board may transfer not more than \$150,000 from this appropriation to the loan guarantee reserve fund of the Wisconsin higher education corporation for purposes of carrying out the functions under s. 39.33.~~

SECTION 148m. 20.235 (2) (o) of the statutes is created to read:

20.235 (2) (o) *Federal special allowance revenues; administrative operations.* The amounts in the schedule for administrative operations of the higher educational aids board and for transfer to the loan guarantee fund. After paying or providing for the payment of all obligations pledged to be paid with federal special allowance revenues for revenue obligations issued under subch. II of ch. 18, as authorized by the governor, all remaining federal special allowance moneys received from the student loan revenue obligation bond program shall be credited to this appropriation and allocated by the higher educational aids board. ~~The executive secretary of the higher educational aids board may transfer not more than \$150,000 from this appropriation to the loan guarantee re-~~

Vetoed  
in Part

~~serve fund of the Wisconsin higher education corporation for purposes of carrying out its functions under s. 39.33.~~ **Vetoed in Part**

SECTION 149. 20.235 (2) (qa) (title) of the statutes is amended to read:

20.235 (2) (qa) (title) *Student loan revenue obligation repayment.*

SECTION 150. 20.235 (2) (qb) of the statutes is amended to read:

20.235 (2) (qb) (title) *Wisconsin health education loan revenue obligation repayment.*

All moneys received in the ~~nonlapsible trust~~ Wisconsin health education loan repayment fund under s. 39.374 (2) for the purposes of retirement of revenue obligations, providing for reserves and program operations under s. 39.374. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds received thereafter.

SECTION 151. 20.245 (1) (a) of the statutes is amended to read:

20.245 (1) (a) *General program operations.* The amounts in the schedule for general program operations and for the historic preservation program under s. 44.22. Of the amounts in the schedule ~~for general program operations under this appropriation,~~ the society may use an amount not to exceed \$6,000 per year to maintain a contingent fund to be administered as provided in s. 20.920 (2) (a).

SECTION 152. 20.245 (1) (b) of the statutes is repealed.

SECTION 153. 20.245 (1) (bm) of the statutes is renumbered 20.245 (1) (b).

SECTION 154m. 20.245 (1) (f) of the statutes is repealed.

SECTION 155. 20.245 (1) (fa) of the statutes is repealed.

SECTION 156. 20.245 (1) (fb) of the statutes is repealed.

SECTION 156m. 20.245 (2) of the statutes is created to read:

20.245 (2) DIVISION OF HISTORIC SITES. (a) *General program operations.* The amounts in the schedule for the general program operations of the division of historic sites.

(b) *Stonefield Village.* The amounts in the schedule for the operation of the Stonefield Village historic site.

(c) *Pendarvis.* The amounts in the schedule for the operation of the Pendarvis historic site.

(d) *Villa Louis.* The amounts in the schedule for the operation of the Villa Louis historic site.

(e) *Old Wade House.* The amounts in the schedule for the operation of the Old Wade House historic site.

(f) *Madeline Island.* The amounts in the schedule for the operation of the Madeline Island historic site.

(fm) *Old World Wisconsin.* The amounts in the schedule for the operation of the Old World Wisconsin historic site.

(h) *Admissions, sales and other receipts.* All moneys received from admissions, sales and other receipts generated by each historic site, to be used for the operation and maintenance of that historic site. ~~Receipts generated by one historic site may be used for another historic site only if the administrator of the division of historic sites determines that the other historic site will otherwise have to be closed.~~ **Vetoed in Part**

SECTION 157. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) *General program operations.* The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. An amount of \$9,243 in 1981-82 and \$9,262 in 1982-83 \$9,540 in 1983-84 and \$9,826 in 1984-85 shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of

medicine (M.D.) degree who is paying full tuition. The number of Wisconsin residents enrolled in the class entering the college in ~~1980-84~~ 1984-85 and each year thereafter to be funded under this appropriation shall be determined by multiplying the total number of students enrolled in that class by ~~0.62~~ 0.56, but may not exceed ~~124~~ 112.

SECTION 158. 20.255 (1) (title) of the statutes is amended to read:

20.255 (1) (title) EDUCATIONAL LEADERSHIP.

SECTION 159. 20.255 (1) (a) of the statutes is amended to read:

20.255 (1) (a) *General program operations*. The amounts in the schedule for the improvement of curriculum, instruction and educational resources for local educational agencies, ~~including and the improvement of library services~~. The amounts include the matching of federal funds available under applicable federal acts or programs.

SECTION 160. 20.255 (1) (bb) of the statutes is renumbered 20.255 (2) (cc).

SECTION 161. 20.255 (1) (bc) of the statutes is renumbered 20.255 (1) (fr) and amended to read:

20.255 (1) (fr) *Aid for handicapped individuals*. Biennially, the amounts in the schedule for the payment of aids under s. 115.53 ~~and of aids under s. 146.36 for cystic fibrosis treatment~~.

SECTION 162. 20.255 (1) (bd) of the statutes is renumbered 20.255 (2) (b) and amended to read:

20.255 (2) (b) *Aids for handicapped education*. The amounts in the schedule for the payment of aids for public and private school pupils under ss. 115.88 ~~(4) to (6)~~ and 118.255.

SECTION 163. 20.255 (1) (cc) of the statutes is renumbered 20.255 (2) (ac).

SECTION 164. 20.255 (1) (cd) of the statutes is renumbered 20.255 (2) (ag).

SECTION 165. 20.255 (1) (cf) of the statutes is renumbered 20.255 (2) (cg).

SECTION 166. 20.255 (1) (ch) of the statutes is renumbered 20.255 (2) (fg) and amended to read:

20.255 (2) (fg) *Aid for cooperative educational service agencies*. The amounts in the schedule for a payment not to exceed \$25,000 in the 1983-84 school year and \$50,000 annually thereafter to each cooperative educational service agency, for the current operational expenses of these agencies and to match any federal funds received by these agencies for vocational education administration. The remainder of the amounts in the schedule shall be distributed by the department to cooperative educational service agencies for human growth and development programs under s. 116.01.

SECTION 167. 20.255 (1) (cj) of the statutes is renumbered 20.255 (2) (fr).

SECTION 168. 20.255 (1) (fe) of the statutes is renumbered 20.255 (2) (cn) and amended to read:

20.255 (2) (cn) *Aids for school lunches and elderly nutrition*. The amounts in the schedule for the payment of school lunch aids to school districts and to private schools under s. 115.34 (2) and for nutritional improvement for the elderly under s. 115.345.

SECTION 169. 20.255 (1) (fg) of the statutes is renumbered 20.255 (2) (cr) and amended to read:

20.255 (2) (cr) *Aid for pupil transportation*. ~~Biennially, the~~ The amounts in the schedule for the payment of state aid for transportation of public and private school pupils under subch. IV of ch. 121.

SECTION 170. 20.255 (1) (fk) of the statutes is renumbered 20.255 (2) (aw).

SECTION 171. 20.255 (1) (fo) of the statutes is renumbered 20.255 (2) (an).

SECTION 172. 20.255 (1) (fq) of the statutes is renumbered 20.255 (1) (fg), and 20.255 (1) (fg) (title), as renumbered, is amended to read:

20.255 (1) (fg) (title) *Special Olympics*.

SECTION 173. 20.255 (1) (fs) of the statutes is repealed.

SECTION 174. 20.255 (1) (g) of the statutes is renumbered 20.255 (1) (hr).

SECTION 175. 20.255 (1) (gm) of the statutes is renumbered 20.255 (2) (g).

SECTION 176. 20.255 (1) (h) of the statutes is renumbered 20.255 (1) (jr).

SECTION 177. 20.255 (1) (ha) of the statutes is renumbered 20.255 (1) (hg) and amended to read:

20.255 (1) (hg) (title) *Personnel certification and teacher supply, information and analysis*. The amounts in the schedule to fund certification administrative costs under s. 115.28 (7) (d) and teacher supply, information and analysis costs under s. 115.29 (5). All moneys received from the certification of school and public library personnel under s. 115.28 (7) (d) shall be credited to this appropriation.

SECTION 177m. 20.255 (1) (hm) of the statutes is created to read:

20.255 (1) (hm) *Services for drivers*. The amounts in the schedule for services for drivers. All moneys transferred from s. 20.435 (4) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (4) (hx).

SECTION 178. 20.255 (1) (hz) of the statutes is renumbered 20.255 (1) (L).

SECTION 179. 20.255 (1) (j) of the statutes is renumbered 20.255 (1) (jg).

SECTION 180. 20.255 (1) (jz) of the statutes is created to read:

20.255 (1) (jz) *School district boundary appeal proceedings*. All moneys received from fees authorized to be charged under s. 117.08 (4) to pay mediation and school district boundary appeal board expenses.

SECTION 181. 20.255 (1) (ke) of the statutes is created to read:

20.255 (1) (ke) *Funds transferred from other state agencies; program operations*. All moneys received from other state agencies to carry out the purposes for which received.

SECTION 181m. 20.255 (1) (kk) of the statutes is created to read:

20.255 (1) (kk) *Funds transferred from other state agencies; aids to individuals and organizations*. All moneys received from other state agencies to aid individuals or non-governmental organizations.

SECTION 182. 20.255 (1) (ks) of the statutes is created to read:

20.255 (1) (ks) *Data processing*. All moneys received from data processing services provided internally to be used to meet the costs associated with the services.

SECTION 183. 20.255 (1) (m) of the statutes is renumbered 20.255 (1) (me).

SECTION 184. 20.255 (1) (mn) of the statutes is renumbered 20.255 (1) (mm), and 20.255 (1) (mm) (title), as renumbered, is amended to read:

20.255 (1) (mm) (title) *Federal funds; local assistance*.

SECTION 185. 20.255 (1) (mo) of the statutes is renumbered 20.255 (1) (ms), and 20.255 (1) (ms) (title), as renumbered, is amended to read:

20.255 (1) (ms) (title) *Federal funds; individuals and organizations*.

SECTION 186. 20.255 (1) (r) of the statutes, as affected by 1983 Wisconsin Act .... (Assembly Bill 101), is renumbered 20.255 (2) (r).

SECTION 187. 20.255 (1) (t) of the statutes is renumbered 20.255 (2) (t).

SECTION 188. 20.255 (2) (title) of the statutes is amended to read:

20.255 (2) (title) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING.



~~20.285 (1) (f) *Inland lakes grant program.* As a continuing appropriation, the amounts in the schedule for inland lake grants under 1983 Wisconsin Act ... (this act), section 20.53 (6). No moneys may be expended from the appropriation under this paragraph unless the moneys are encumbered on or prior to July 1, 1988.~~

**Vetoed  
in Part**

SECTION 213. 20.285 (1) (ga) of the statutes is amended to read:

20.285 (1) (ga) *Surplus auxiliary funds.* Any moneys in any program revenue appropriation under this section which the board of regents determines to be surplus, to be used for the construction or acquisition of university housing facilities, commons, dining facilities, field house or other buildings, or for other permanent improvements, purchase of land, equipment for such buildings or investment in bonds or securities, or for the payment of debt service costs, as provided in ss. 36.06 (6) and (7) and 37.02 (3), 1969 stats., as the board of regents determines. Separate accounts shall be maintained for each activity of each unit with funds in this appropriation.

SECTION 214. 20.285 (2) (a) of the statutes is amended to read:

20.285 (2) (a) *Transfers.* Any moneys in program revenue appropriations to the board of regents for operation may be temporarily transferred to or from any other program revenue appropriation, but any moneys so transferred shall be repaid to the appropriation from which taken before the close of the fiscal year in which the transfer was made.

SECTION 215. 20.285 (2) (b) of the statutes is amended to read:

20.285 (2) (b) *Cash fund.* The board of regents may use balances in university program revenue appropriations as contingent funds for the payment of miscellaneous expenses where immediate payment is deemed necessary but not to exceed \$2,000,000 in total.

SECTION 215m. 20.285 (2) (c) of the statutes is created to read:

20.285 (2) (c) *Student employment funds.* The board of regents, through the institutions' student financial aids offices, shall annually use at least 10% of its budgeted student employment funds that are unrelated to the college work-study program or to research and instruction for distribution on the basis of financial need.

SECTION 216. 20.325 of the statutes is repealed.

SECTION 216m. 20.370 (1) (bq) of the statutes is created to read:

20.370 (1) (bq) *Wildlife management — land leasing.* The amounts in the schedule, not to exceed \$200,000 in any fiscal year, to obtain leases to private lands in order to provide additional public hunting areas.

SECTION 217. 20.370 (1) (ea) of the statutes is amended to read:

20.370 (1) (ea) *Parks — general program operations.* From moneys allocated under sub. (7) (aa), the amounts in the schedule equivalent to the portion of the appropriation under par. (mu) ~~appropriated~~ allocated for the operation of the state parks and state recreation areas under s. 23.091 and ch. 27 ~~less \$222,400 in fiscal year 1981-82 and \$231,300 in fiscal year 1982-83~~ and the remainder of the amounts in the schedule for the operation of the Olympic ice rink under s. 23.35.

SECTION 218. 20.370 (1) (ed) of the statutes is amended to read:

20.370 (1) (ed) (title) *Parks — Olympic ice rink repair, maintenance and improvement.* Biennially, from moneys allocated under sub. (7) (aa), the amounts in the schedule for the repair, maintenance, ~~operation~~ and improvement of the Olympic ice rink.

SECTION 219. 20.370 (1) (fa) of the statutes is repealed.

SECTION 220. 20.370 (1) (fb) of the statutes is amended to read:

20.370 (1) (fb) (title) *Endangered resources — general program operations.* From moneys allocated under sub. (7) (aa), the amounts in the schedule for the administration and implementation of the nongame and endangered and threatened species conservation

programs under ss. 29.175 and 29.415 and the endangered resources program, as defined under s. 71.097 (1) (b), and for the inventory of natural areas under s. 23.27.

SECTION 221c. 20.370 (1) (fs) of the statutes is created to read:

20.370 (1) (fs) *Endangered resources — voluntary payments.* As a continuing appropriation, from moneys received from the endangered resources voluntary payments, the net amounts certified under s. 71.097 (3) (b) 4 for the purposes of the endangered resources program, as defined under s. 71.097 (1) (b), but not including administrative costs for which moneys are appropriated under s. 20.566 (1) (hp) or (3) (gp). All moneys certified under s. 71.097 (3) (b) 4 shall be credited to this appropriation. In fiscal year 1984-85, there is transferred from the appropriation under this paragraph to the general fund an amount equal to the amounts expended under par. (fb) in fiscal year 1983-84. Annually, 3% of the moneys certified under s. 71.097 (3) (b) 4 in each fiscal year, but not to exceed \$100,000, shall be allocated for wildlife damage control and payment of claims for damage associated with endangered or threatened species.

SECTION 221g. 20.370 (1) (jj) of the statutes is created to read:

20.370 (1) (jj) *Conservation corps — corps enrollee compensation and support; sponsor contribution.* From the general fund, all moneys received under agreements entered into under s. 23.48 (8) (i) with local units of government and nonprofit organizations, except moneys appropriated under sub. (8) (jj), for the payment of the sponsor's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 221m. 20.370 (1) (jm) of the statutes is created to read:

20.370 (1) (jm) *Conservation corps — corps enrollee compensation and support; federal funds.* From the general fund, all moneys received from the federal government as authorized under s. 16.54 from federal assistance for conservation projects including the payment of any corps enrollee compensation as specified in that assistance and all moneys received under agreements entered into under s. 23.48 (8) (i) with the federal government, except moneys received from these agreements which are appropriated under sub. (8) (jm), for the payment of the federal government's share of costs for conservation projects including the payment of any corps enrollee compensation as specified in those agreements. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 221r. 20.370 (1) (jq) of the statutes is created to read:

20.370 (1) (jq) *Conservation corps — corps enrollee compensation and support; state funds.* From the forestry account in the conservation fund, excluding revenues credited to this account as a result of the tax levied under s. 70.58, the amounts in the schedule for the payment of corps enrollee compensation and for the payment of other costs for conservation projects if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 222m. 20.370 (1) (kr) of the statutes is repealed and recreated to read:

20.370 (1) (kr) *Resource acquisition and development — nonmotorized boating improvements.* All moneys received from contributions collected under s. 30.525 for the development or enhancement of programs or services which provide benefits relating directly to nonmotorized boating activities including, but not limited to, land acquisition and the development of public access sites and camping sites with access to water.

SECTION 223. 20.370 (1) (kv) of the statutes is amended to read:

20.370 (1) (kv) *Resource acquisition and development — trout habitat improvement.* All moneys received under s. ~~29.145 (4)~~ 29.149 for improving trout habitat in inland trout waters and for administering that ~~subsection~~ section.

SECTION 224. 20.370 (1) (ma) of the statutes is amended to read:

20.370 (1) (ma) *General program operations — state funds.* From the general fund, the amounts in the schedule for general program operations under ~~chs. ch.~~ 23 and 33.

SECTION 224m. 20.370 (1) (mr) of the statutes is created to read:

20.370 (1) (mr) *General program operations — state park and forest roads.* From the transportation fund, the amounts in the schedule for state park and forest roads under s. 84.28.

SECTION 225. 20.370 (2) (ab) (title) of the statutes is amended to read:

20.370 (2) (ab) (title) *Water resources management — wetlands mapping.*

SECTION 226. 20.370 (2) (ab) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 227. 20.370 (2) (ai) (title) of the statutes is amended to read:

20.370 (2) (ai) (title) *Water resource management — aquatic nuisance control.*

SECTION 228. 20.370 (2) (bj) of the statutes is amended to read:

20.370 (2) (bj) (title) *Environmental damage compensation.* All moneys including interest received under s. 147.23 or as a settlement to any action initiated or contemplated under s. 147.23 to remove, terminate or remedy the adverse effects of any discharge or deposit, to restore or develop the water environment for public use or to provide grants under s. 66.365 consistent with any court order issued under s. 147.23 (3) ~~and all moneys received under s. 144.443 (11) (a), less any moneys expended from the appropriation under par. (cd) for a waste facility for which moneys are subsequently received under s. 144.443 (11) (a), for the closure and long-term care of waste facilities under s. 144.443 (11) (b).~~

SECTION 228m. 20.370 (2) (ca) of the statutes is created to read:

20.370 (2) (ca) *Solid waste management — Mid-state landfill study.* Biennially, the amounts in the schedule to conduct a study of the environmental damage resulting from the Mid-state landfill site in the town of Cleveland in Marathon county and to plan actions to remedy or abate these damages.

SECTION 229. 20.370 (2) (cc) of the statutes is amended to read:

20.370 (2) (cc) (title) *Solid waste management — initial funding of hazardous substances spills program.* As a continuing appropriation, the amounts in the schedule for initial administration of the hazardous substances ~~spill fund~~ spills program under s. 144.76 (6).

SECTION 230. 20.370 (2) (cd) of the statutes is renumbered 20.370 (2) (cs) and amended to read:

20.370 (2) (cs) *Solid and hazardous waste management — closure and long-term care; imminent hazard.* The From the waste management fund, the amounts in the schedule to provide funds for compliance with closure and long-term care requirements which are necessary to prevent an imminent or substantial danger to health or the environment under s. 144.443 (11) (c).

SECTION 231m. 20.370 (2) (cg) of the statutes is amended to read:

20.370 (2) (cg) *Solid waste management — solid and hazardous waste disposal administration.* The amounts in the schedule for the purpose of administering ss. 144.44 and 144.64. All moneys received from fees under ss. 144.44 ~~(5)~~ (10) and 144.64 (4) shall be credited to this appropriation.

SECTION 233. 20.370 (2) (cj) of the statutes is amended to read:

20.370 (2) (cj) (title) *Solid waste management — hazardous substances spills program, state funds.* All moneys received from reimbursements under s. 144.76 (6) ~~(e)~~ (d) for the administration of the hazardous substances ~~spill fund~~ spills program under s. 144.76 ~~(6)~~.

SECTION 234. 20.370 (2) (cm) of the statutes is amended to read:

20.370 (2) (cm) (title) *Solid waste management — hazardous substances spills program, federal funds.* All moneys received from reimbursements under s. 144.76 (6) ~~(d)~~ (e) for the administration of the hazardous substances ~~spill fund~~ spills program under s. 144.76 ~~(6)~~.

SECTION 235. 20.370 (2) (cq) of the statutes is amended to read:

20.370 (2) (cq) *Solid waste management — waste management fund.* ~~As a continuing appropriation~~ From the waste management fund, all moneys received in the waste management fund except moneys appropriated under pars. (cs) and (ct) for the purpose of administering a program of long-term care of and environmental repairs to solid and hazardous waste disposal facilities under s. 144.441.

SECTION 236. 20.370 (2) (ct) of the statutes is created to read:

20.370 (2) (ct) *Solid waste management — closure and long-term care.* From the waste management fund, all moneys received under s. 144.443 (11) (a) 1, 3 and 4 for compliance with closure and long-term care requirements under s. 144.443 (11) (b).

SECTION 237. 20.370 (2) (di) of the statutes is created to read:

20.370 (2) (di) *Air management — permit review and enforcement.* The amounts in the schedule for any purpose specified under s. 144.399 (1) (a) or (b). All moneys received from fees imposed under s. 144.399 shall be credited to this appropriation.

SECTION 237m. 20.370 (3) (ar) of the statutes is amended to read:

20.370 (3) (ar) *Law enforcement — boat enforcement and safety training.* Annually, from the moneys received under ~~ss. 30.50 to 30.55~~ s. 30.52 (3), the amounts in the schedule for boat law enforcement by the state and for boat safety training.

SECTION 238. 20.370 (3) (bh) of the statutes is created to read:

20.370 (3) (bh) *Water regulation and zoning — dam inspections and safety administration.* The amounts in the schedule for dam inspections and safety administration under ch. 31. All moneys received from fees under s. 31.20 shall be credited to this appropriation.

SECTION 239. 20.370 (3) (ma) of the statutes is amended to read:

20.370 (3) (ma) *General program operations — state funds.* From the general fund, the amounts in the schedule for regulatory and enforcement operations under chs. 30, 31, 144, 147 and 162 and ss. 59.971, 61.351, 62.231, and 87.30 and 144.26 and, for reimbursement of the conservation fund for expenses incurred for actions taken under ~~executive order number 17, issued May 18, 1979~~ s. 166.04 and for review of environmental impact requirements under ss. 1.11 and 23.40.

SECTION 240. 20.370 (3) (mu) of the statutes is amended to read:

20.370 (3) (mu) *General program operations — state funds.* The amounts in the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and chs. 29 and 30 and for review of environmental impact requirements under ss. 1.11 and 23.40.

SECTION 241. 20.370 (4) (aa) of the statutes is repealed.

SECTION 242. 20.370 (4) (ao) of the statutes is renumbered 20.370 (4) (co), and 20.370 (4) (co) (title), as renumbered, is amended to read:

20.370 (4) (co) (title) *Environmental aids — inland lake renewal; federal funds.*

SECTION 243. 20.370 (4) (aq) of the statutes is amended to read:

20.370 (4) (aq) *Resource aids — Canadian agencies migratory waterfowl aids.* As a continuing appropriation, the amounts received from waterfowl hunting stamps specified under s. 29.102 to be contributed to governmental or nonprofit agencies in Canada for the propagation, management and control of migratory waterfowl.

SECTION 244m. 20.370 (4) (ar) of the statutes is amended to read:

20.370 (4) (ar) *Resource aids — county forests and forest croplands aids.* Biennially, the amounts in the schedule to pay county forest aids under s. 28.11 (8) and forest croplands aids under subch. I of ch. 77.

SECTION 244r. 20.370 (4) (at) of the statutes is repealed.

SECTION 246m. 20.370 (4) (bt) of the statutes is amended to read:

20.370 (4) (bt) (title) *Recreation aids — snowmobile trail areas; transportation fund.* From the transportation fund, as a continuing appropriation, an amount equal to the estimated snowmobile gas tax payment for the purposes specified under s. 350.12 (4) (b). The estimated snowmobile gas tax payment is calculated by multiplying the number of snowmobiles registered under s. 350.12 on ~~January 1~~ the last day of February of the previous fiscal year by 50 gallons; and multiplying that product by the excise tax imposed under s. 78.01 (1) and from that final product subtracting the amount of refunds claimed under s. 78.75 for gasoline used in snowmobiles during the previous fiscal year.

SECTION 247. 20.370 (4) (ca) of the statutes is repealed.

SECTION 248. 20.370 (4) (cb) of the statutes is renumbered 20.370 (4) (da), and 20.370 (4) (da) (title), as renumbered, is amended to read:

20.370 (4) (da) (title) *Environmental aids — point source; prior to bonding and small projects.*

SECTION 249. 20.370 (4) (cc) of the statutes is amended to read:

20.370 (4) (cc) (title) *Environmental aids; nonpoint source; grants and aids.* From the general fund, as a continuing appropriation, the amounts in the schedule for the nonpoint source water pollution abatement grants program under s. 144.25. ~~The amount in each year beginning in 1981-82 shall equal \$2,681,300 plus 10% compounded annually thereafter for cost-sharing grants for the installation of best management practices and for financial assistance to designated management agencies for the implementation of this program.~~

SECTION 250. 20.370 (4) (ce) of the statutes is repealed.

SECTION 251. 20.370 (4) (cf) of the statutes is renumbered 20.370 (4) (eb).

SECTION 252. 20.370 (4) (da) of the statutes is renumbered 20.370 (4) (ea).

SECTION 253. 20.370 (4) (ea) of the statutes is renumbered 20.370 (4) (fa).

SECTION 253m. 20.370 (4) (ec) of the statutes is created to read:

20.370 (4) (ec) *Environmental planning aids — recycling transition funds.* Biennially, the amounts in the schedule for aid payments for assistance in the continuation of planning recycling and resource recovery projects to counties which were involved in negotiations with the Wisconsin solid waste recycling authority under ch. 232, 1981 stats., and are located in an area for which the authority received a federal grant from the U.S. environmental protection agency.

SECTION 255. 20.370 (4) (eq) of the statutes is renumbered 20.370 (4) (fq).

SECTION 256. 20.370 (4) (fc) of the statutes is renumbered 20.370 (4) (gc).

SECTION 257m. 20.370 (4) (fq) of the statutes is renumbered 20.370 (4) (gq) and amended to read:

20.370 (4) (gq) *Enforcement aids — boating enforcement.* From the moneys received under ~~ss. 30.50 to 30.55~~ s. 30.52 (3), an amount not to exceed \$300,000 annually for the payment of state aids under s. 30.79, after first deducting the amounts appropriated under subs. (3) (ar) and (8) (dr).

SECTION 258. 20.370 (4) (ft) of the statutes is renumbered 20.370 (4) (gt) and amended to read:

20.370 (4) (gt) *Enforcement aids — snowmobiling enforcement.* The amounts in the schedule, ~~not to exceed \$100,000 annually,~~ from the snowmobile enforcement and administration account in the conservation fund to provide law enforcement aids to counties as authorized under s. 350.12 (4) (a) 4 to be used exclusively for the enforcement of ch. 350.

SECTION 259. 20.370 (4) (fy) of the statutes is renumbered 20.370 (4) (gy).

SECTION 260. 20.370 (4) (ir) of the statutes is amended to read:

20.370 (4) (ir) *Aids administration — motorcycle recreation.* ~~From the conservation fund, the~~ The amounts in the schedule for administration of the motorcycle aid program under s. 23.09 (25).

SECTION 260m. 20.370 (4) (it) of the statutes is created to read:

20.370 (4) (it) *Aids administration — wildlife damage claims and abatement.* The amounts in the schedule for assistance and administration costs related to the wildlife damage abatement and wildlife damage claim programs under s. 29.598.

~~SECTION 260p. 20.370 (4) (je) of the statutes is created to read:~~

**Vetoed  
in Part**

~~20.370 (4) (je) *Debt service — recycling and resource recovery loan program.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (a) for the payment of principal and interest costs incurred in providing low-interest loans for solid waste recycling and resource recovery facilities under the recycling and resource recovery loan program under s. 144.796.~~

SECTION 261. 20.370 (4) (ka) of the statutes is renumbered 20.370 (4) (jc), and 20.370 (4) (jc) (title), as renumbered, is amended to read:

20.370 (4) (jc) (title) *Debt service — point source pollution abatement bonds.*

SECTION 262. 20.370 (4) (kb) of the statutes is renumbered 20.370 (4) (db), and 20.370 (4) (db) (title), as renumbered, is amended to read:

20.370 (4) (db) (title) *Environmental aids — septic tank replacement and rehabilitation.*

SECTION 263. 20.370 (4) (kc) of the statutes is renumbered 20.370 (4) (dc) and amended to read:

20.370 (4) (dc) (title) *Environmental aids — point source; pollution abatement grants; general fund.* As a continuing appropriation from the general fund, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program for facility planning costs, and other eligible costs under s. 144.24 which cannot be funded from bond revenues ~~and, during fiscal year 1981-82, engineering design costs which do not exceed the amount of the unencumbered balance of the appropriation under this paragraph at the end of fiscal year 1980-81.~~ Payments may be made from this appropriation for expenditures and for payments of encumbrances authorized for facility planning costs, and other eligible costs under s. 144.24 which cannot be funded from bond revenues ~~and engineering design costs~~ regardless of when the encumbrances were incurred.

SECTION 264. 20.370 (4) (kd) of the statutes is renumbered 20.370 (4) (jd), and 20.370 (4) (jd) (title), as renumbered, is amended to read:

20.370 (4) (jd) (title) *Debt service — combined sewer overflow; pollution abatement bonds.*

SECTION 264m. 20.370 (4) (kq) of the statutes is created to read:

20.370 (4) (kq) *Wildlife damage claims and abatement*. The amounts in the schedule to provide state aid under the wildlife damage abatement program under s. 29.598 (5) (c) and the wildlife damage claim program under s. 29.598 (7) (d) and for county administration costs under s. 29.598 (2) (d).

SECTION 265. 20.370 (4) (mv) of the statutes is renumbered 20.370 (1) (mv), and 20.370 (1) (mv) (title), as renumbered, is amended to read:

20.370 (1) (mv) (title) *General program operations — use of departmental gravel pits*.

SECTION 266. 20.370 (8) (dq) of the statutes is amended to read:

20.370 (8) (dq) *Snowmobile registration*. ~~The Biennially, the~~ amounts in the schedule from the snowmobile enforcement and administration account in the conservation fund for snowmobile registration.

SECTION 266m. 20.370 (8) (dr) of the statutes is amended to read:

20.370 (8) (dr) *Boat registration*. Biennially, from the moneys received under ~~ss. 30.50 to 30.55~~ s. 30.52 (3), the amounts in the schedule for boat registration.

SECTION 267. 20.370 (8) (eb) of the statutes is repealed.

SECTION 268. 20.370 (8) (jg) of the statutes is renumbered 20.370 (3) (dg).

SECTION 268g. 20.370 (8) (jj) of the statutes is created to read:

20.370 (8) (jj) *Conservation corps — administrative support; sponsor contribution*. From the general fund, all moneys received under agreements entered into under s. 23.48 (8) (i) with local units of government and nonprofit organizations, except moneys appropriated under sub. (1) (jj), for the payment of administrative expenses related to the Wisconsin conservation corps program as specified in those agreements.

SECTION 268m. 20.370 (8) (jm) of the statutes is created to read:

20.370 (8) (jm) *Conservation corps — administrative support; federal funds*. From the general fund, all moneys received from the federal government as authorized under s. 16.54 for the payment of administrative expenses related to the Wisconsin conservation corps program and all moneys received under agreements entered into under s. 23.48 (8) (i) with the federal government, except moneys received from these agreements which are appropriated under sub. (1) (jm), for the payment of administrative expenses related to the Wisconsin conservation corps program as specified in those agreements.

SECTION 268r. 20.370 (8) (jq) of the statutes is created to read:

20.370 (8) (jq) *Conservation corps — administrative support; state funds*. From the forestry account in the conservation fund, excluding revenues credited to this account as a result of the tax levied under s. 70.58, the amounts in the schedule for the payment of administrative expenses related to the Wisconsin conservation corps program.

SECTION 269. 20.370 (9) (ms) of the statutes is amended to read:

20.370 (9) (ms) (title) *Natural resources contingent fund*. ~~An imprest fund of \$200,000~~ With the approval of the secretary of administration, the department of natural resources may maintain a contingent fund of up to \$400,000 from the conservation fund ~~may be established for the purpose of law enforcement, for tree cone and seed purchases, for petty cash, for the payment of purchase orders under s. 16.52 (6) (a) and for the payment of,~~ local purchases authorized under s. 16.52 (6) (b) and travel vouchers and for the establishment of petty cash accounts. ~~The operation and maintenance of the department of natural resources shall operate and maintain the contingent fund shall be pursuant~~ and according to rules prescribed by the department of administration. The rules for payment of purchase orders and local purchases authorized under s. 16.52 (6) (a) and (b) shall be in general conformity to s. 20.920 (2) (a) relating to contingent funds of institutions except that the amount authorized for an invoice for the department of natural

resources may not exceed \$500 unless it is a utility invoice, in which case there is no limitation.

SECTION 270g. 20.395 (1) (aq) of the statutes is amended to read:

20.395 (1) (aq) *Transportation aids, state funds.* The amounts in the schedule for local transportation aids under s. 86.30 (4).

SECTION 270r. 20.395 (1) (ar) of the statutes is repealed.

SECTION 271. 20.395 (1) (at) of the statutes is amended to read:

20.395 (1) (at) *Flood damage aids, state funds.* ~~The~~ As a continuing appropriation, the amounts in the schedule to make payments under s. 86.34. Notwithstanding s. 20.001 (3) (c), if the balance in this appropriation exceeds \$1,500,000 on June 30 of the odd-numbered year, the amount in excess of \$1,500,000 shall lapse to the transportation fund.

SECTION 272m. 20.395 (1) (av) of the statutes is repealed and recreated to read:

20.395 (1) (av) *Transportation aids supplement, state funds.* The amounts in the schedule for the supplement of transportation aids for counties under 1983 Wisconsin Act .... (this act), section 2051 (1s).

SECTION 273m. 20.395 (1) (br) of the statutes is created to read:

20.395 (1) (br) *Milwaukee urban area rail transit system planning study; state funds.* Biennially, the amounts in the schedule for the purpose of providing the state share of a federally financially assisted planning study of an urban rail transit system under s. 85.063 to serve the Milwaukee urban area. The department shall maximize the use of federal financial aids available for this study wherever feasible and appropriate.

SECTION 273r. 20.395 (1) (bt) of the statutes is created to read:

20.395 (1) (bt) *Urban rail transit system grants.* As a continuing appropriation, the amounts in the schedule for the urban rail transit system grant program under s. 85.063 (3).

SECTION 274m. 20.395 (1) (fq) of the statutes is amended to read:

20.395 (1) (fq) *Railroad crossing protection aids, state funds.* ~~Biennially, the~~ The amounts in the schedule to pay the costs of crossing protection under s. 195.28 (3).

SECTION 275. 20.395 (2) (title) of the statutes is amended to read:

20.395 (2) (title) AIRPORT AND RAILROAD FACILITIES AND SERVICES.

SECTION 276m. 20.395 (2) (aq) of the statutes is amended to read:

20.395 (2) (aq) *Railroad service continuation, state funds.* The amounts in the schedule for rail ferry aids under s. 85.08 (4) ~~and rail commuter services under chapter 20, laws of 1981, section 2151 (1).~~

SECTION 279. 20.395 (2) (bq) of the statutes is amended to read:

20.395 (2) (bq) *Railroad facilities acquisition and railroad rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for railroad abandoned property and improvements acquisition under s. 85.09, for grants under s. 85.063 (3) or 85.08 (4m) (c) and (d), for capital advances under s. 85.08 (4m) (e), for railroad planning under s. 85.08 (4) and for loans under s. 85.08 (4m) (f). The amounts expended for loans under s. 85.08 (4m) (f) may not exceed \$300,000 annually.

SECTION 281. 20.395 (2) (dq) of the statutes is amended to read:

20.395 (2) (dq) *Local airport development, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ~~s. 114.34 ss.~~ 114.34 and 114.35 and for developing air marking and other air navigational facilities.

SECTION 282. 20.395 (3) (cq) of the statutes is amended to read:

20.395 (3) (cq) *Existing highway improvement, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways.

SECTION 283. 20.395 (3) (cv) of the statutes is amended to read:

20.395 (3) (cv) *Existing highway improvement, local funds.* All moneys received from any local unit of government or other source for the information sign program under s. 86.195 and for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, for such purposes.

SECTION 284. 20.395 (3) (cx) of the statutes is amended to read:

20.395 (3) (cx) *Existing highway improvement, federal funds.* All moneys received from the federal government for improvement of existing state trunk and connecting highways, except the national system of interstate and defense highways, for such purposes.

SECTION 285. 20.395 (3) (dq) of the statutes is amended to read:

20.395 (3) (dq) *Improvement of state bridges, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing bridges on state trunk or connecting highways and for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 286. 20.395 (3) (dv) of the statutes is amended to read:

20.395 (3) (dv) *Improvement of state bridges, local funds.* All moneys received from any local unit of government or other source for improvement of existing bridges on state trunk or connecting highways and for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 287. 20.395 (3) (dx) of the statutes is amended to read:

20.395 (3) (dx) *Improvement of state bridges, federal funds.* All moneys received from the federal government for improvement of existing bridges on state trunk or connecting highways and for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements, for such purposes. This paragraph does not apply to bridges on the national system of interstate and defense highways.

SECTION 288. 20.395 (3) (ev) of the statutes is amended to read:

20.395 (3) (ev) *Highway maintenance and repair, local funds.* All moneys received from any local unit of government or other source for the maintenance and repair under ss. 84.04, 84.07 and 84.10, except for highway winter maintenance and highway traffic operations, and for signing under s. 86.195, for such purposes.

SECTION 289. 20.395 (3) (gq) of the statutes is created to read:

20.395 (3) (gq) *Interstate construction and rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances.

SECTION 290. 20.395 (3) (gv) of the statutes is repealed and recreated to read:

20.395 (3) (gv) *Interstate construction and rehabilitation, local funds.* All moneys received from any local unit of government or other source for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances, for such purposes.

SECTION 291. 20.395 (3) (gx) of the statutes is repealed and recreated to read:

20.395 (3) (gx) *Interstate construction and rehabilitation, federal funds.* All moneys received from the federal government for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances, for such purposes.

SECTION 292. 20.395 (3) (hq) of the statutes is amended to read:

20.395 (3) (hq) *Highway traffic operations, state funds.* Biennially, the amounts in the schedule for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07 ~~and~~, 84.10, 348.25, 348.26 and 348.27 and ch. 349.

SECTION 293. 20.395 (3) (hv) of the statutes is amended to read:

20.395 (3) (hv) *Highway traffic operations, local funds.* All moneys received from any local unit of government or other sources for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 ~~and 86.195, 348.25, 348.26 and 348.27~~ and ch. 349, for such purposes.

SECTION 294. 20.395 (3) (hx) of the statutes is amended to read:

20.395 (3) (hx) *Highway traffic operations, federal funds.* All moneys received from the federal government for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07 ~~and~~, 84.10, 348.25, 348.26 and 348.27 and ch. 349, for such purposes.

SECTION 295. 20.395 (3) (iq) of the statutes is created to read:

20.395 (3) (iq) *General program operations, highways, state funds.* The amounts in the schedule for the administration and management of departmental programs by the division of transportation districts or the division of highways and transportation facilities under subs. (1) to (4).

SECTION 296. 20.395 (3) (iv) of the statutes is created to read:

20.395 (3) (iv) *General program operations, highways, local funds.* All moneys received from any local unit of government or other source for the administration and management of departmental programs by the division of transportation districts or the division of highways and transportation facilities under subs. (1) to (4).

SECTION 297. 20.395 (3) (ix) of the statutes is created to read:

20.395 (3) (ix) *General program operations, highways, federal funds.* All moneys received from the federal government for the administration and management of departmental programs by the division of transportation districts or the division of highways and transportation facilities under subs. (1) to (4).

SECTION 298. 20.395 (4) (aq) (title) of the statutes is amended to read:

20.395 (4) (aq) (title) *Local highways and bridge improvements, state funds.*

SECTION 299. 20.395 (4) (av) of the statutes is amended to read:

20.395 (4) (av) *Local highways and bridge improvements, local funds.* All moneys received from any local unit of government or other source for providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for improving bridges under ss. 84.11, 84.12, 84.17 and 84.18 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 300. 20.395 (4) (ax) of the statutes is amended to read:

20.395 (4) (ax) *Local highways and bridge improvements, federal funds.* All moneys received from the federal government for providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for improving bridges under ss. 84.11, 84.12, 84.17 and 84.18 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 301. 20.395 (4) (cq) of the statutes is repealed.

SECTION 302. 20.395 (5) (aq) of the statutes is amended to read:

20.395 (5) (aq) *Departmental management and operations, state funds.* The amounts in the schedule for departmental planning and administrative activities and the administration and management of departmental programs except those programs under sub. (3) (iq), including those activities in s. 85.07 and including \$120,000 to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including the ride-sharing program under s. 85.24.

SECTION 303. 20.395 (5) (av) of the statutes is amended to read:

20.395 (5) (av) *Departmental management and operations, local funds.* All moneys received from any local unit of government or other source for departmental planning and administrative activities, for the administration and management of departmental programs except those programs under sub. (3) (iv), and for the ride-sharing program under s. 85.24, for such purposes.

SECTION 304. 20.395 (5) (ax) of the statutes is amended to read:

20.395 (5) (ax) *Departmental management and operations, federal funds.* All moneys received from the federal government for the administration and management of departmental programs except those programs under sub. (3) (ix), and for departmental planning and administrative activities including all moneys received as federal aid as authorized by the governor under s. 16.54 to promote highway safety and continue the local traffic safety representatives program and for purposes of s. 85.07 and for the ride-sharing program under s. 85.24, for such purposes.

SECTION 305. 20.395 (5) (bq) of the statutes is repealed.

SECTION 306. 20.395 (5) (bv) of the statutes is repealed.

SECTION 307. 20.395 (5) (bx) of the statutes is repealed.

SECTION 308. 20.395 (5) (cg) (title) of the statutes is amended to read:

20.395 (5) (cg) (title) *Traffic violation and registration program, state funds.*

SECTION 309. 20.395 (5) (cq) of the statutes is amended to read:

20.395 (5) (cq) *Vehicle registration and driver licensing, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services. Of the amount appropriated under this paragraph, the department may maintain a contingent fund, not to exceed ~~\$5,000~~ \$6,000, for establishing change funds in the amount deemed necessary by the department.

SECTION 309m. 20.395 (5) (dq) of the statutes is amended to read:

20.395 (5) (dq) *Vehicle inspection and traffic enforcement, state funds.* The amounts in the schedule for administering the ambulance inspection program under s. 341.085 and the vehicle inspection and traffic enforcement programs, including ~~\$480,600~~ \$495,000 in fiscal year 1983-84 and \$509,900 in fiscal year 1984-85 and thereafter to reimburse any county policing expressways under s. 59.965 (10) (b).

SECTION 310. 20.395 (5) (gq) (title) of the statutes is amended to read:

20.395 (5) (gq) (title) *Motor-driven cycle, moped and motor bicycle safety program, state funds.*

SECTION 311. 20.395 (5) (hx) of the statutes is created to read:

20.395 (5) (hx) *Motor vehicle emission inspection and maintenance programs, federal funds.* All moneys received from the federal government for the purpose of the motor vehicle emission inspection and maintenance program under s. 110.20, for such purposes.

SECTION 312. 20.395 (5) (iv) of the statutes is created to read:

20.395 (5) (iv) *Municipal and county registration fee, local funds.* All moneys received under s. 341.35, less the portion of the fee attributable to the department's administrative costs, for the purpose of remitting the municipal or county registration fee to the municipality or county under s. 341.35 (6).

SECTION 313. 20.395 (5) (jq) of the statutes is created to read:

20.395 (5) (jq) *Transportation facilities and highway projects revenue obligation funding.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the transportation administrative facilities purposes of s. 84.01 (28) and for major highway projects as defined under s. 84.013 (1) (a) for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 314. 20.395 (6) (as) of the statutes is created to read:

20.395 (6) (as) *Transportation facilities and highway projects revenue obligation repayment.* From the fund created under s. 84.59 (2), all moneys received by the fund and not transferred under s. 84.59 (3) to the transportation fund, for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under s. 84.59. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter.

SECTION 315. 20.395 (9) (ar) of the statutes is amended to read:

20.395 (9) (ar) *Connecting highways, lift bridges and highway maintenance adjustments.* Commencing with the 1981-83 biennial budget bill and biennially thereafter, the department shall request adjustments to the appropriations under sub. (1) (as) and (au) to reflect the percentage of change attributed to inflation. The percentage attributable to inflation shall be the same percentage which the department has requested as an inflationary rate adjustment to the appropriation under sub. (3) (eq). The requested increase in sub. (1) (as) shall be calculated on the basis of an increase made on January 1, 1984, on each January 1 thereafter.

SECTION 316. 20.398 of the statutes is repealed.

SECTION 317. 20.420 of the statutes is created to read:

**20.420 Criminal justice, council on.** There is appropriated to the council on criminal justice for the following program:

(1) CRIMINAL JUSTICE. (a) *Planning and administration match, state operations.* The amounts in the schedule for planning and administration under the justice system improvement act of 1979, P.L. 96-157, and any related programs.

(b) *Planning and administration match, local assistance.* The amounts in the schedule to provide matching funds to local governments for federal planning and administration programs to improve the administration of criminal justice.

(m) *Federal aid, planning and administration, state operations.* All moneys received from the federal government to be allocated to state agencies for planning and administration of programs to improve the administration of criminal justice.

(n) *Federal aid, planning and administration, local assistance.* All moneys received from the federal government to be allocated to local agencies for planning and administration of programs to improve the administration of criminal justice.

(o) *Federal aid, criminal justice improvement projects, state operations.* All moneys received from the federal government to be allocated to state agencies for project grants to improve the administration of criminal justice.

(p) *Federal aid, criminal justice improvement projects, local assistance.* All moneys received from the federal government to be allocated to local governments for project grants to improve the administration of criminal justice.

(pa) *Federal aid, criminal justice improvement projects, aid to organizations.* All moneys received as federal aid as authorized by the governor under s. 16.54 to be allocated to organizations for project grants to improve the administration of criminal justice.

SECTION 317m. 20.425 (1) (g) of the statutes is amended to read:

20.425 (1) (g) *Publications.* The amounts in the schedule for the preparation of publications, transcripts, reports and other copied material. All Except as provided in ss. 111.09 (1), 111.71 (1) and 111.94 (1), all moneys received from the sale of publications, transcripts, reports and other copied material shall be credited to this appropriation.

SECTION 317s. 20.433 of the statutes is created to read:

**20.433 Child abuse and neglect prevention board.** There is appropriated to the child abuse and neglect prevention board for the following program:

(1) PREVENTION OF CHILD ABUSE AND NEGLECT. (g) *General program operations.* From all moneys received under s. 69.24 (1) (am), the amounts in the schedule to be used for the operating expenses of the child abuse and neglect prevention board under s. 48.982 (3).

(h) *Grants to organizations.* All moneys received under s. 69.24 (1) (am), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4).

(q) *Children's trust fund.* From the children's trust fund, all moneys received as contributions, grants, gifts and bequests under s. 48.982 (2) (d) to carry out the purposes for which made and received.

SECTION 318. 20.435 (1) (b) of the statutes is amended to read:

20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45 and to fund the pilot project under s. 46.27 (9) and (10).

SECTION 319. 20.435 (1) (e) of the statutes is amended to read:

20.435 (1) (e) *Disease aids.* Biennially, the amounts in the schedule for assisting victims of diseases, as provided in ss. 49.48, 49.483, 49.485, 58.06, 149.04 and 149.06 (6) and (7).

SECTION 319m. 20.435 (1) (ff) of the statutes is created to read:

20.435 (1) (ff) *Medical education loan repayment grants.* The amounts in the schedule for the purposes of the medical education loan repayment grant program under s. 146.85.

SECTION 319r. 20.435 (1) (gm) of the statutes is amended to read:

20.435 (1) (gm) *Licensing activities.* The amounts in the schedule for the purposes specified in ~~ch. 69 and~~ ss. 50.50 to 50.85, 140.05 (17), 140.45 (6), 140.50 to 140.60, 140.85, 140.86, 141.15 (2) (b) and 143.15 (7) and ch. 150. All moneys received under ~~ch. 69 and~~ ss. 50.50 to 50.85, 140.05 (17), 140.45 (6), 140.50 to 140.60, 140.85, 140.86, 141.15 (2) (b) and, 143.15 (7) and 150.13 shall be credited to this appropriation.

SECTION 319t. 20.435 (1) (h) of the statutes is repealed.

SECTION 319w. 20.435 (1) (j) of the statutes is amended to read:

20.435 (1) (j) *Fees for services and supplies.* The amounts in the schedule for the purposes provided in ~~ch. 69 and~~ ss. 50.02 (2), 50.025, 50.36 (2) and ~~150.01 to 150.09 140.61~~ and to conduct health facility plan and rule development activities, for accrediting nursing homes, convalescent homes and homes for the aged, ~~for the administration of ss. 140.50 to 140.60,~~ and for the purchase and distribution of the medical supplies. All

Partial  
Veto  
Overruled

moneys received under ch. 69 and ss. 50.02 (2), 50.025, 50.36 (2) and ~~150.12, from fees under s. 140.54~~ 140.61 and as reimbursement for medical supplies shall be credited to this appropriation.

SECTION 319x. 20.435 (1) (kg) of the statutes is created to read:

20.435 (1) (kg) *Agent orange study*. All moneys received from services rendered by the department of health and social services to the department of veterans affairs for the study of the effects of agent orange on Wisconsin Vietnam era veterans.

SECTION 320. 20.435 (1) (m) (title) of the statutes is amended to read:

20.435 (1) (m) (title) *Federal project operations*.

SECTION 321. 20.435 (1) (ma) of the statutes is created to read:

20.435 (1) (ma) *Federal project aids*. See sub. (9) (ma).

SECTION 322. 20.435 (1) (mc) of the statutes is created to read:

20.435 (1) (mc) *Block grant operations*. See sub. (9) (mc).

SECTION 323. 20.435 (1) (md) of the statutes is created to read:

20.435 (1) (md) *Block grant aids*. See sub. (9) (md).

SECTION 324. 20.435 (1) (n) (title) of the statutes is amended to read:

20.435 (1) (n) (title) *Federal program operations*.

SECTION 325. 20.435 (1) (na) of the statutes is created to read:

20.435 (1) (na) *Federal program aids*. See sub. (9) (na).

SECTION 326. 20.435 (2) (title) of the statutes is amended to read:

20.435 (2) (title) CARE AND TREATMENT FACILITIES.

SECTION 327. 20.435 (2) (a) of the statutes is amended to read:

20.435 (2) (a) *General program operations*. The amounts in the schedule to operate institutions, ~~conduct regulatory activities and provide boarding home care, field services and administrative services.~~

SECTION 327m. 20.435 (2) (ab) of the statutes is repealed.

SECTION 329. 20.435 (2) (b) of the statutes is renumbered 20.435 (4) (b) and amended to read:

20.435 (4) (b) *Community social and mental hygiene services*. The amounts in the schedule for the provision or purchase of mental health services under ss. 51.42 and 51.437, for reimbursement for county administration of social services under ss. 46.22 (5m) and 49.51 (3) and (4), including foster care under ss. 49.19 (10) and 49.50 and services under s. 46.27, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.22 and 48.58 and for work incentive costs under s. 49.50. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) shall be returned to this appropriation. Counties are liable for any share of the social services disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share of the cost of services under s. 46.03 (20) (d) shall be returned to this appropriation. Allocation of the fund for mental health services shall be exclusively determined by the department of health and social services, subject to ss. 51.42 and 51.437. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department may transfer between calendar years funds it recovers under ss. 49.52 (2) (b) and 51.42 (8m) from prior year audit adjustments. The department may also transfer between calendar years funds it allocates under ss. 49.52 (1) (d) ~~or (e)~~ and 51.42 (8) (b) ~~and (d)~~ but not spent or encumbered on or before December 31 of any year by counties or by boards created

under s. 46.23, 51.42 or 51.437. The department may use the funds it transfers to pay counties owed funds for the purchase or provision of mental health services or social services, due to any prior year audit adjustment. The department may not transfer more than \$500,000 for these purposes. ~~Ninety percent. Except for funds retained to provide noninstitutional community programs under s. 49.45 (2) (a), 19 and (6) (b), 90%~~ [Ninety percent] of funds not transferred between calendar years, allocated under s. 51.42 (8) (b) and (d) and not spent or encumbered by boards created under s. 46.23, 51.42 or 51.437 by December 31 of each year, and 90% of funds not transferred between calendar years, allocated under ss. 46.27 and 49.52 (1) (d) and (e) and not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance. The department may allocate the 10% not lapsing for emergencies, for justifiable unit service costs above planned levels, to regional centers for the care of the chronically mentally ill and to recognize shifts in service populations among counties during the following calendar year.

Vetoed  
in Part

SECTION 330. 20.435 (2) (cb) of the statutes is renumbered 20.435 (4) (cb) and amended to read:

20.435 (4) (cb) *Domestic abuse grants*. The amounts in the schedule for the purposes of s. 46.95, except that the total expenditures under par. (hh) and this paragraph shall not exceed \$1,379,400 \$1,451,600 in fiscal year 1981-82 1983-84 and \$1,423,100 \$1,480,600 in fiscal year 1982-83 1984-85.

SECTION 331. 20.435 (2) (cc) of the statutes is repealed.

SECTION 332am. 20.435 (2) (cd) of the statutes is renumbered 20.435 (4) (cd) and amended to read:

20.435 (4) (cd) *Community youth and family aids*. The amounts in the schedule for the improvement and provision of juvenile delinquency-related services under s. 46.26 and for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services as provided in s. 48.06 (4), ~~less all payments received for department juvenile correctional services under s. 46.26 (4) and less all federal moneys received under par. (oo) and, beginning January 1, 1983, less all federal moneys received under sub. (3) (e) and transferred to par. (hm).~~ Disbursements may be made from this appropriation under s. 46.03 (20). Refunds received relating to payments made under s. 46.03 (20) shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer moneys under this paragraph between fiscal years. Ninety percent of Except for moneys authorized for transfer under s. 46.26 (3), all funds moneys from this paragraph allocated under s. 46.26 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the general fund on the succeeding January 1 unless transferred to the next calendar year by the. The joint committee on finance may transfer additional moneys to the next calendar year. Beginning January 1, 1982, the department may allocate the 10% not lapsing for emergencies and to recognize shifts in service populations among counties during each following calendar year.

SECTION 333. 20.435 (2) (d) of the statutes is renumbered 20.435 (4) (da).

SECTION 334. 20.435 (2) (dd) of the statutes is renumbered 20.435 (4) (dd), and 20.435 (4) (dd) (title), as renumbered, is amended to read:

20.435 (4) (dd) (title) *State foster care and adoption services*.

SECTION 335. 20.435 (2) (de) of the statutes is renumbered 20.435 (4) (db) and amended to read:

20.435 (4) (db) (title) *Foster parent insurance*. The amounts in the schedule for the purchase by the department of health and social services of liability insurance for foster parents as described in s. 48.627.

SECTION 336. 20.435 (2) (df) of the statutes is renumbered 20.435 (4) (dh).

SECTION 337. 20.435 (2) (dL) of the statutes is renumbered 20.435 (4) (dL).

SECTION 338. 20.435 (2) (dm) of the statutes is renumbered 20.435 (4) (dm).

SECTION 339. 20.435 (2) (e) of the statutes is renumbered 20.435 (4) (ec).

SECTION 340. 20.435 (2) (g) of the statutes is renumbered 20.435 (4) (ga).

SECTION 341. 20.435 (2) (gg) of the statutes is renumbered 20.435 (4) (gg) and amended to read:

20.435 (4) (gg) *Collection remittances to local units of government.* All moneys received ~~on or after April 1, 1981,~~ under ss. 46.03 (18) and 46.10 for the purposes of remitting departmental collections under s. 46.03 (18) (g) or 46.10 (8m) (b) and (c).

SECTION 342. 20.435 (2) (hh) of the statutes is renumbered 20.435 (4) (hh).

SECTION 343. 20.435 (2) (hm) of the statutes is repealed.

SECTION 344. 20.435 (2) (hx) of the statutes is renumbered 20.435 (4) (hx) and amended to read:

20.435 (4) (hx) *Services for drivers, receipts.* The amounts in the schedule for services for drivers. All moneys received from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 shall be credited to this appropriation. These moneys may be transferred to pars. (hy) and (hz) and ss. 20.255 (1) (hm), 20.285 (1) (ia) and 20.395 (5) (ch) by the secretary of administration for expenditures based upon determinations by the ~~department~~ departments of health and social services, public instruction and transportation and the university of Wisconsin system. ~~Upon final determination by the secretary of administration, transfers shall be accomplished under s. 16.50.~~

SECTION 345. 20.435 (2) (hy) of the statutes is renumbered 20.435 (4) (hy).

SECTION 346. 20.435 (2) (hz) of the statutes is renumbered 20.435 (4) (hz).

SECTION 347. 20.435 (2) (j) of the statutes is renumbered 20.435 (4) (jj).

SECTION 348. 20.435 (2) (jm) of the statutes is renumbered 20.435 (4) (jm) and amended to read:

20.435 (4) (jm) (title) *Administrative and support services.* The amounts in the schedule for the inspection of approved treatment facilities ~~for prevention and control of alcoholism~~ under s. ~~51.45 (8) ch. 51,~~ for licensing community-based residential facilities under s. 140.85, for administrative expenses related to approving residential facilities under s. 46.28, for interpreter services for hearing impaired persons ~~and,~~ for printed material and computer runs of the department's information systems, for issuing controlled substance permits under s. 161.335 and for training programs. All moneys received from fees for inspection of approved treatment facilities ~~for prevention and control of alcoholism~~ under s. ~~51.45 (8) ch. 51,~~ plus all moneys received as licensing fees charged to community-based residential facilities under s. 140.85, all moneys received as fees charged for approving residential facilities under s. 46.28 and, all moneys received as fees charged for the provision of printed material, computer runs of the department's information systems ~~and,~~ all moneys received as fees charged for interpreter services for hearing impaired persons, all moneys received as fees for controlled substance permits issued under s. 161.335 and all moneys received as fees for training programs shall be credited to this appropriation.

SECTION 349. 20.435 (2) (k) of the statutes is renumbered 20.435 (4) (k).

SECTION 350. 20.435 (2) (km) of the statutes is renumbered 20.435 (4) (km).

SECTION 351. 20.435 (2) (m) (title) of the statutes is amended to read:

20.435 (2) (m) (title) *Federal project operations.*

SECTION 352. 20.435 (2) (n) of the statutes is repealed.

SECTION 353. 20.435 (2) (o) of the statutes is renumbered 20.435 (4) (o) and amended to read:

20.435 (4) (o) (title) *Federal aid; community social and mental hygiene services.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70, and all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under 1983 Wisconsin Act .... (this act), section 2020 (8) (b). Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursement of federal funds or directly to tribal governing bodies under s. 46.70. The department shall, on December 31 of any year, transfer to par. (n) all of the funds allocated for day care services under s. 49.52 (1) (d), and 1983 Wisconsin Act ~~(this act), section 2020 (6) (b)~~ that are not spent or encumbered as of December 31 of any year by the department or county departments of public welfare and social services or boards created under s. 46.23. **Vetoed in Part**

SECTION 354am. 20.435 (2) (oo) of the statutes is renumbered 20.435 (4) (oo) and amended to read:

20.435 (4) (oo) *Federal aid; community youth and family aids.* All federal moneys received as child welfare funds under 42 USC 620 to 626 as limited by ~~s. 48.998~~ under 1983 Wisconsin Act .... (this act), section 2020 (8) (c) and (d) and all federal moneys received relating to providing care in foster homes, group homes or child caring institutions for the purposes of s. 46.26, and all other federal moneys received for meeting costs under s. 46.26. ~~Except for those federal moneys received that are conditioned upon expansion of a service or services which may be distributed or expended by the department as required, these amounts shall be credited to the appropriation under par. (ed) in amounts pursuant to an allocation plan developed by the department.~~

SECTION 355. 20.435 (2) (p) of the statutes is renumbered 20.435 (4) (pd) and amended to read:

20.435 (4) (pd) (title) *Federal aid; state foster care and adoption services.* All federal moneys received for meeting the costs of providing foster care and institutional child care under ss. 48.48 (4) and (14) and 48.52, and for the cost of care for children under s. 49.19 (10) (d). Disbursements for foster care under s. 46.03 (20) and for foster parent liability insurance under s. 48.627 may be made from this appropriation.

SECTION 356. 20.435 (3) (ab) of the statutes is amended to read:

20.435 (3) (ab) (title) *Intergovernmental corrections agreements.* The amounts in the schedule for payments made in accordance with contracts entered into with other states party to the interstate corrections compact under s. 53.25, including payments in accordance with contracts entered into under s. 46.051, and for payments for placements under s. 53.27.

SECTION 356m. 20.435 (3) (b) of the statutes is repealed.

SECTION 357. 20.435 (3) (hm) of the statutes is amended to read:

20.435 (3) (hm) *Juvenile correctional services.* Except as provided in par. (ho), ~~beginning January 1, 1983,~~ the amounts in the schedule for juvenile correctional services specified in s. 46.26 (4) (d). All moneys received in payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited to this appropriation. ~~If the average daily juvenile correctional institution population is lower than 507 for fiscal year 1982-83, the department shall reduce its expenditures under this paragraph accordingly. If the average daily juvenile correctional institution population exceeds 507 for fiscal year 1982-83, the department may expend only the portion of additional revenue generated which is needed to offset increased institutional costs and which is approved by the department of administration under s. 16.515 or the joint committee on finance under s. 13.101. If~~

~~moneys generated by the monthly rate exceed actual institutional costs by less than 2% in a fiscal year, all those moneys shall revert to the general fund. If moneys generated by the monthly rate exceed actual calendar year institutional costs by 2% or more, all those moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement at juvenile correctional institutions. Counties shall use the funds for purposes specified in s. 46.26.~~

SECTION 358. 20.435 (3) (ho) of the statutes is amended to read:

20.435 (3) (ho) *Foster care.* ~~Beginning January 1, 1983, pursuant to~~ Under s. 46.26 (4) (e), the amounts in the schedule for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d). All moneys received in payment for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) shall be credited to this appropriation. If moneys generated by the monthly rate exceed actual calendar year foster care and institutional child care costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement in foster care or institutional child care.

SECTION 359. 20.435 (3) (jp) of the statutes is amended to read:

20.435 (3) (jp) *Correctional officer training.* The amounts in the schedule to finance correctional officers training under s. 46.057. All moneys ~~transferred from s. 20.455 (2) (i) received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1)~~ shall be credited to this appropriation.

SECTION 360g. 20.435 (3) (kk) of the statutes is amended to read:

20.435 (3) (kk) *Institutional operations and charges.* The amounts in the schedule for the use, production and provision of state institutional facilities, services and products, other than those of prison industries, and for the purchase of other institutional farm land, including buildings, and for the remodeling or construction of buildings. All moneys received from the rental of state institutional facilities and from the sale of other institutional services and products, other than those of prison industries, shall be credited to this appropriation. No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose. Whenever the unencumbered balances of the portions of this appropriation pertaining to farm operations plus the portions of appropriations under sub. (2) (gk) pertaining to farm operations exceed \$200,000 on June 30 of any year, the excess shall revert to the general fund. Whenever the unencumbered balance of the portion of this appropriation pertaining to prison industry operations exceeds \$500,000 on June 30 of any year, the excess shall revert to the general fund.

SECTION 360r. 20.435 (3) (km) of the statutes is created to read:

20.435 (3) (km) *Prison industries.* The amounts in the schedule for the establishment and operation of prison industries. All moneys received from prison industries sales shall be credited to this appropriation. No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose.

SECTION 361. 20.435 (3) (m) (title) of the statutes is amended to read:

20.435 (3) (m) (title) *Federal project operations.*

SECTION 362. 20.435 (3) (n) (title) of the statutes is amended to read:

20.435 (3) (n) (title) *Federal program operations.*

SECTION 363. 20.435 (3) (o) of the statutes is amended to read:

20.435 (3) (o) *Federal aid; foster care.* All federal moneys received for meeting the costs of providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14) and 48.52, and for the cost of care for children under s. 49.19 (10) (d). ~~Beginning January~~ July 1, 1983, all moneys received under this section shall be ~~transferred to the appropriation under sub. (2) (hm)~~ deposited in the general fund as a nonappropriated receipt.

SECTION 364. 20.435 (4) (title) of the statutes is amended to read:

20.435 (4) (title) COMMUNITY SERVICES.

SECTION 365. 20.435 (4) (a) of the statutes is amended to read:

20.435 (4) (a) *General program operations.* The amounts in the schedule for general program operations, including regulatory activities, field services and administrative services.

SECTION 365s. 20.435 (4) (b) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

20.435 (4) (b) *Community social and mental hygiene services.* The amounts in the schedule for the provision or purchase of mental health services under ss. 51.42 and 51.437, for reimbursement for county administration of social services under ss. 46.22 (5m) and 49.51 (3) and (4), including foster care under ss. 49.19 (10) and 49.50 and services under s. 46.27, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4); and for shelter care under ss. 48.22 and 48.58 ~~and for work incentive costs under s. 49.50~~. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) shall be returned to this appropriation. Counties are liable for any share of the social services disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share of the cost of services under s. 46.03 (20) (d) shall be returned to this appropriation. Allocation of the fund for mental health services shall be exclusively determined by the department of health and social services, subject to ss. 51.42 and 51.437. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department may transfer between calendar years funds it recovers under ss. 49.52 (2) (b) and 51.42 (8m) from prior year audit adjustments. The department may also transfer between calendar years funds it allocates under ss. 49.52 (1) (d) and 51.42 (8) (b) but not spent or encumbered on or before December 31 of any year by counties or by boards created under s. 46.23, 51.42 or 51.437. The department may use the funds it transfers to pay counties owed funds for the purchase or provision of mental health services or social services, due to any prior year audit adjustment. The department may not transfer more than \$500,000 for these purposes. Ninety percent of funds not transferred between calendar years, allocated under s. 51.42 (8) (b) and not spent or encumbered by boards created under s. 46.23, 51.42 or 51.437 by December 31 of each year, and 90% of funds not transferred between calendar years, allocated under ss. 46.27 and 49.52 (1) (d) and not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance. The department may allocate the 10% not lapsing for emergencies, for justifiable unit service costs above planned levels and to recognize shifts in service populations among counties during the following calendar year.

SECTION 367. 20.435 (4) (bg) of the statutes is created to read:

20.435 (4) (bg) *Work incentive demonstration program; administration.* The amounts in the schedule for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7).

SECTION 368. 20.435 (4) (bm) of the statutes is created to read:

20.435 (4) (bm) *Work incentive demonstration program; aids.* The amounts in the schedule for the provision or purchase of services for the work incentive demonstration program under s. 49.50 (7).

SECTION 371. 20.435 (4) (d) (title) of the statutes is amended to read:

20.435 (4) (d) (title) *Income maintenance payments to individuals.*

SECTION 372. 20.435 (4) (de) (title) of the statutes is amended to read:

20.435 (4) (de) (title) *Income maintenance county administration.*

SECTION 373. 20.435 (4) (df) of the statutes is repealed.

SECTION 374. 20.435 (4) (dg) of the statutes is repealed.

SECTION 375. 20.435 (4) (eb) of the statutes is created to read:

20.435 (4) (eb) *General relief aid.* The amounts in the schedule for state aid to counties and municipalities for eligible general relief costs under s. 49.035.

SECTION 376. 20.435 (4) (ed) of the statutes is amended to read:

20.435 (4) (ed) *State supplement to federal supplemental security income program.* ~~The amounts in the schedule~~ A sum sufficient for payments of supplemental grants to supplemental security income recipients under s. 49.177.

SECTION 377m. 20.435 (4) (j) of the statutes is amended to read:

20.435 (4) (j) *Fees.* All moneys received from fees charged ~~to counties~~ under s. 46.25 (8) and from fees charged ~~to counties~~ for state mailings, special computer services and publications, for the purpose of implementing state and federal income tax setoffs and intercepting unemployment compensation to enforce child and spousal support obligations and of providing state mailings, special computer services and state publications to counties, and from fees charged and incentive payments and collections retained under s. 46.25 (7m), for the purpose of implementing s. 46.25 (7m).

SECTION 377p. 20.435 (4) (kc) of the statutes is created to read:

20.435 (4) (kc) *Independent living center grants.* Biennially, the amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96. All moneys transferred from sub. (5) (bm) and (na) for the purpose of providing grants to independent living centers for the severely disabled under s. 46.96 shall be credited to this appropriation.

SECTION 378. 20.435 (4) (m) (title) of the statutes is amended to read:

20.435 (4) (m) (title) *Federal project operations.*

SECTION 379. 20.435 (4) (ma) of the statutes is created to read:

20.435 (4) (ma) *Federal project aids.* See sub. (9) (ma).

SECTION 380. 20.435 (4) (mc) of the statutes is created to read:

20.435 (4) (mc) *Federal block grant operations.* See sub. (9) (mc). All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30.

SECTION 381. 20.435 (4) (md) of the statutes is created to read:

20.435 (4) (md) *Federal block grant aids.* See sub. (9) (md). All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30.

SECTION 382. 20.435 (4) (n) of the statutes is amended to read:

20.435 (4) (n) (title) *Federal program operations.* See sub. (9) (n). All moneys transferred from par. (o) for the purposes of providing day care services in counties with unmet needs, for providing start-up or improvement grants for day care facilities and for

providing training for day care providers. All moneys transferred from par. (o) shall be allocated as determined by the department in the calendar year immediately following the transfer.

SECTION 383. 20.435 (4) (na) of the statutes is created to read:

20.435 (4) (na) *Federal program aids*. See sub. (9) (na).

SECTION 384. 20.435 (4) (nL) of the statutes is created to read:

20.435 (4) (nL) *Federal program local assistance*. See sub. (9) (nL).

SECTION 386. 20.435 (4) (p) (title) of the statutes is amended to read:

20.435 (4) (p) (title) *Federal aids; income maintenance payments*.

SECTION 387. 20.435 (4) (pm) of the statutes is created to read:

20.435 (4) (pm) *Work incentive demonstration program; administration*. All federal moneys received for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7).

SECTION 388. 20.435 (4) (ps) of the statutes is created to read:

20.435 (4) (ps) *Work incentive demonstration program; aids*. All federal moneys received for the provision or purchase of services for the work incentive demonstration program under s. 49.50 (7).

SECTION 388m. 20.435 (5) (bm) of the statutes is amended to read:

20.435 (5) (bm) *Purchased services for clients*. The amounts in the schedule for the purchase of goods and services authorized under ss. 47.05 and 47.40 and for vocational rehabilitation and other independent living services to handicapped persons. The department shall, in each state fiscal year, transfer to sub. (4) (kc) \$235,000 if funds are transferred to sub. (4) (kc) from par. (na).

SECTION 389. 20.435 (5) (e) of the statutes is created to read:

20.435 (5) (e) *Principal repayment and interest*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the development or improvement of the workshop for the blind.

SECTION 392. 20.435 (5) (m) (title) of the statutes is amended to read:

20.435 (5) (m) (title) *Federal project operations*.

SECTION 393. 20.435 (5) (ma) of the statutes is created to read:

20.435 (5) (ma) *Federal project aids*. See sub. (9) (ma).

SECTION 394. 20.435 (5) (n) (title) of the statutes is amended to read:

20.435 (5) (n) (title) *Federal program operations*.

SECTION 395. 20.435 (5) (na) of the statutes is created to read:

20.435 (5) (na) *Federal program aids*. See sub. (9) (a). All federal moneys received for the purchase of goods and services under ss. 47.05 and 47.40 and for the purchase of vocational rehabilitation programs for individuals or organizations. The department shall, in each state fiscal year, transfer to sub. (4) (kc) up to \$372,900 if a transfer is authorized by the federal government.

SECTION 396. 20.435 (5) (nL) of the statutes is created to read:

20.435 (5) (nL) *Federal program local assistance*. See sub. (9) (nL).

SECTION 397. 20.435 (8) (f) of the statutes is repealed.

SECTION 398. 20.435 (8) (g) of the statutes is created to read:

20.435 (8) (g) *Legal services collections*. All moneys received as reimbursement for costs of legal actions authorized under ss. 46.03 (18) and 46.10 to be used to pay costs associated with such legal actions.

SECTION 399. 20.435 (8) (m) (title) of the statutes is amended to read:

20.435 (8) (m) (title) *Federal project operations*.

SECTION 400. 20.435 (8) (n) (title) of the statutes is amended to read:

20.435 (8) (n) (title) *Federal program operations*.

SECTION 401. 20.435 (9) (a) of the statutes is amended to read:

20.435 (9) (a) *Contingent funds*. Out of the appropriations for the operation of the several institutions and for child welfare and youth services there is allotted, subject to the approval of the joint committee on finance, such sums; as are necessary as a contingent fund for ~~the institutions~~ each institution and for payment of medical, clothing, school books and similar incidental needs for children in foster homes under the supervision of the department, such contingent funds to be administered as provided in s. 20.920.

SECTION 402. 20.435 (9) (m) of the statutes is amended to read:

20.435 (9) (m) (title) *Federal project operations*. All moneys received from the federal government or any of its agencies for the state administration of specific limited term projects to be expended for the purposes specified. In this section, expenditure estimates for federal aid for the operation of projects ~~are assigned paragraph letter (m)~~ shall appear in the schedule of subs. (1) to (8) as par. (m).

SECTION 403. 20.435 (9) (ma) of the statutes is created to read:

20.435 (9) (ma) *Federal project aids*. All moneys received from the federal government or any of its agencies for specific limited term projects to be expended as aids to individuals or organizations for the purposes specified. In this section, expenditure estimates for federal aid to individuals or organizations shall appear in the schedule of subs. (1) to (8) as par. (ma).

SECTION 404. 20.435 (9) (mb) of the statutes is created to read:

20.435 (9) (mb) *Federal project local assistance*. All moneys received from the federal government or any of its agencies for specific limited term projects to be expended as local assistance for the purposes specified. In this section, expenditure estimates for federal local assistance shall appear in the schedule of subs. (1) to (8) as par. (mb).

SECTION 405. 20.435 (9) (mc) of the statutes is created to read:

20.435 (9) (mc) *Federal block grant operations*. All block grant moneys received from the federal government or any of its agencies for the state administration of federal block grants for the purposes specified. In this section, expenditure estimates for the administration of federal block grants shall appear in the schedule of subs. (1) to (8) as par. (mc).

SECTION 406. 20.435 (9) (md) of the statutes is created to read:

20.435 (9) (md) *Federal block grant aids*. All block grant moneys received from the federal government or any of its agencies to be expended as aids to individuals or organizations. In this section, expenditure estimates for federal block grant aids to individuals or organizations shall appear in the schedule of subs. (1) to (8) as par. (md).

SECTION 407. 20.435 (9) (me) of the statutes is created to read:

20.435 (9) (me) *Federal block grant local assistance*. All block grant moneys received from the federal government or any of its agencies to be expended on local assistance to counties and municipalities. In this section, expenditure estimates for federal block grant local assistance to counties and municipalities shall appear in the schedule of subs. (1) to (8) as par. (me).

SECTION 408. 20.435 (9) (n) of the statutes is amended to read:

20.435 (9) (n) (title) *Federal program operations*. All moneys received from the federal government or any of its agencies for the state administration of continuing programs to be expended for the purposes specified. ~~This may include, but is not limited to,~~

~~expenditures for state administration of medical assistance, public assistance and social service programs.~~ In this section, expenditure estimates for the operation of continuing federal aid for continuing programs are assigned paragraph letter (n) shall appear in the schedule of subs. (1) to (8) as par. (n).

SECTION 409. 20.435 (9) (na) of the statutes is created to read:

20.435 (9) (na) *Federal program aids*. All moneys received from the federal government or any of its agencies for continuing programs to be expended as aids to individuals or organizations for the purposes specified. In this section, expenditure estimates for federal aid to individuals or organizations shall appear in the schedule of subs. (1) to (8) as par. (na).

SECTION 410. 20.435 (9) (nL) of the statutes is created to read:

20.435 (9) (nL) *Federal program local assistance*. All moneys received from the federal government or any of its agencies for continuing programs to be expended as local assistance for the purposes specified. In this section, expenditure estimates for federal local assistance shall appear in the schedule of subs. (1) to (8) as par. (nL).

SECTION 410g. 20.441 of the statutes is created to read:

**20.441 Hospital rate-setting commission.** There is appropriated to the hospital rate-setting commission for the following programs:

(1) HOSPITAL RATE SETTING. (a) *General program operations*. The amounts in the schedule to fund the activities of the hospital rate-setting commission and the hospital rate-setting council under ch. 54.

(g) *Assessments*. All moneys received as assessments under s. 54.31 to fund the activities of the hospital rate-setting commission and the hospital rate-setting council under ch. 54.

(m) *Federal funds*. All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes of the hospital rate-setting commission and the hospital rate-setting council under ch. 54.

SECTION 410m. 20.442 (1) (b) of the statutes is created to read:

20.442 (1) (b) *Loan from general fund*. The amounts in the schedule for legal, fund raising and administrative costs.

SECTION 411. 20.445 (1) (aa) (title) of the statutes is amended to read:

20.445 (1) (aa) (title) *Death benefits for specified employes*.

SECTION 412. 20.445 (1) (ab) of the statutes is repealed.

SECTION 413. 20.445 (1) (c) of the statutes is repealed.

SECTION 414. 20.445 (1) (d) of the statutes is repealed.

SECTION 414m. 20.445 (1) (e) of the statutes is renumbered 20.505 (1) (e).

SECTION 415. 20.445 (1) (ga) of the statutes is created to read:

20.445 (1) (ga) *Job service operations*. All moneys received from fees levied under s. 101.23 (7) for the delivery of employment services under s. 101.23 and ch. 108.

SECTION 416. 20.445 (1) (ia) of the statutes is repealed.

SECTION 417. 20.445 (1) (j) of the statutes is amended to read:

20.445 (1) (j) *Safety and building operations*. The amounts in the schedule for the purposes of subchs. I, II ~~and~~ III ~~and~~ IV of ch. 101 and ch. 168. All moneys received under ss. 101.19, 101.63 (9), 101.73 (12), 101.82 (4) and 168.12 shall be credited to this appropriation.

SECTION 418. 20.445 (1) (kg) of the statutes is created to read:

20.445 (1) (kg) *Administrative services for the work incentive demonstration program.* All moneys received from fees charged to the department of health and social services under s. 101.30 for administrative costs associated with the provision of support and employment services for the work incentive demonstration program under s. 49.50 (7).

SECTION 419. 20.445 (1) (kk) of the statutes is created to read:

20.445 (1) (kk) *Services for the work incentive demonstration program.* All moneys received from fees charged to the department of health and social services under s. 101.30 for the provision of support and employment services for the work incentive demonstration program under s. 49.50 (7).

SECTION 423. 20.445 (1) (y) of the statutes is repealed.

SECTION 424. 20.445 (1) (ya) of the statutes is repealed.

SECTION 425. 20.445 (5) of the statutes is renumbered 20.532 (1), and 20.532 (1) (title), (a), (m) and (mn), as renumbered, are amended to read:

20.532 (1) (title) EMPLOYMENT AND TRAINING SERVICES.

(a) (title) *Employment and training programs.* Biennially, the amounts in the schedule for grants for standardized assessment and programs for instruction in basic skills, including the youth initiatives program.

(m) (title) *Federal aid — program operations.* All moneys received from the federal government as authorized by the governor under s. 16.54, to be allocated to the governor's employment and training office ~~created under executive order number 14, dated May 1, 1979~~ for general program operations and statewide programs.

(mn) (title) *Federal aid — employment and training programs.* All ~~federal comprehensive~~ employment and training act moneys received from the federal government ~~or prime sponsors, other than the moneys appropriated under par. (mp),~~ for local assistance or the payment of incentives, training related expenses and other support costs, as authorized by the governor under s. 16.54.

SECTION 427. 20.455 (2) (cm) of the statutes is created to read:

20.455 (2) (cm) *Debt service.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of the crime laboratory building in Milwaukee.

SECTION 427m. 20.455 (2) (d) of the statutes is repealed.

SECTION 427p. 20.455 (2) (e) of the statutes is created to read:

20.455 (2) (e) *Aid to county-tribal law enforcement programs.* Biennially, the amounts in the schedule for distribution to counties and tax-exempt Indian tribes which have established cooperative county-tribal law enforcement programs which have been certified by the department as eligible to receive funds under s. 165.91. This paragraph does not apply after July 1, 1986.

SECTION 428. 20.455 (2) (i) of the statutes is amended to read:

20.455 (2) (i) *Law enforcement training fund, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b). All moneys received from the penalty assessment surcharge on court fines and forfeitures ~~authorized under s. 165.87~~ as allocated under s. 165.87 (1) shall be credited to this appropriation. These moneys may be transferred to pars. (j) and (ja) and s. 20.435 (3) (jp) by the secretary of administration for expenditures based upon determinations by the department of justice ~~and the department of health and social services.~~ Upon final determination by the secretary of administration, transfers shall be accomplished under s. 16.50.

SECTION 430. 20.455 (5) (g) of the statutes is created to read:

20.455 (5) (g) *Crime victim and witness assistance surcharge*. The amounts in the schedule for purposes of ch. 950. All moneys received from crime victim and witness assistance surcharges authorized under s. 973.045 shall be credited to this appropriation.

SECTION 431. 20.465 (intro.) of the statutes is amended to read:

**20.465 Military affairs, department of.** (intro.) There is appropriated to the department of military affairs for the following ~~program~~ programs:

SECTION 432. 20.465 (1) (c) of the statutes is amended to read:

20.465 (1) (c) *Public emergencies*. A sum sufficient to defray all expenditures of the Wisconsin national guard or the Wisconsin state guard when either is called into state service to meet situations arising from war, riot, natural disaster or great public emergency and in preparation for an anticipated call into state service for these emergencies.

SECTION 433. 20.465 (1) (g) of the statutes is amended to read:

20.465 (1) (g) *Military property*. The amounts in the schedule for rent of state-owned military lands or buildings used by, acquired for or erected for the Wisconsin national guard pursuant to s. 21.19 (2), for rental of buildings and grounds maintenance equipment owned by the state and required to properly maintain properties supported by state-federal ~~service contracts~~ cooperative funding agreements, for the repair and maintenance of state-owned military lands or buildings and for the purchase and construction of new military property, real and personal. All moneys received on account of lost military property, from the sale of obsolete or unserviceable military property or from the sale of any state-owned military property, real and personal, under s. 21.19 (3), shall be credited to this appropriation.

SECTION 434. 20.465 (1) (m) of the statutes is amended to read:

20.465 (1) (m) *Federal aid*. All moneys received from the United States pursuant to any act of congress or pursuant to federal authority for the improvement, repair, maintenance or operation of state-owned or state-controlled armories or other military property.

SECTION 435. 20.465 (3) of the statutes is repealed.

SECTION 436. 20.485 (2) (a) of the statutes is repealed.

SECTION 436m. 20.485 (2) (wc) of the statutes is created to read:

20.485 (2) (wc) *Agent orange study*. The amounts in the schedule to facilitate the study of the effects of agent orange on Wisconsin Vietnam era veterans.

SECTION 437. 20.485 (3) (v) (title) of the statutes is amended to read:

20.485 (3) (v) (title) *Revenue obligation repayment*.

SECTION 438. 20.485 (3) (w) of the statutes is amended to read:

20.485 (3) (w) (title) *Revenue obligation funding*. As a continuing appropriation, all proceeds from revenue obligations issued under s. 45.79 (6) (c) and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, to provide related reserve funds and for the purposes of s. 45.79. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 439. 20.505 (1) (title) of the statutes is amended to read:

20.505 (1) (title) SUPERVISION AND MANAGEMENT.

SECTION 441. 20.505 (1) (e) of the statutes is repealed.

SECTION 442. 20.505 (1) (i) of the statutes is amended to read:

20.505 (1) (i) *Services to nonstate governmental units*. The amounts in the schedule to provide services and to repurchase inventory items, including those under s. 125.08 (1) (d) and (2) (b), primarily to purchasers outside state government, and to fund the functions of the public records and forms board and its coordinator under s. 16.61. All

moneys received from the sale of services and inventory items which are provided primarily to purchasers outside state government, including moneys received under s. 125.08 (1) (d) and (2) (b), shall be credited to this appropriation. This paragraph does not apply after December 31, 1986.

SECTION 443. 20.505 (1) (im) of the statutes is created to read:

20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items, including those under s. 125.08 (1) (d) and (2) (b), primarily to purchasers outside state government. All moneys received from the sale of services and inventory items which are provided primarily to purchasers outside state government, including moneys received under s. 125.08 (1) (d) and (2) (b), shall be credited to this appropriation. This paragraph applies only after December 31, 1986.

SECTION 444. 20.505 (1) (kb) (title) of the statutes is amended to read:

20.505 (1) (kb) (title) *Fleet services.*

SECTION 445. 20.505 (1) (kc) of the statutes is repealed.

SECTION 446. 20.505 (1) (kg) of the statutes is amended to read:

20.505 (1) (kg) (title) *Records, microfilm and forms services.* The amounts in the schedule to provide records storage and microfilm services primarily to state agencies, and to fund the services of the public records and forms board and its coordinator under s. 16.61. All moneys received from the provision of records storage and microfilm services primarily to state agencies and from services provided to state agencies by the public records and forms board and its coordinator shall be credited to this appropriation. This paragraph does not apply after December 31, 1986.

SECTION 447. 20.505 (1) (kh) of the statutes is created to read:

20.505 (1) (kh) *Records storage and microfilm service.* The amounts in the schedule to provide records storage and microfilm services primarily to state agencies. All moneys received from the provision of records storage and microfilm services primarily to state agencies shall be credited to this appropriation. This paragraph applies only after December 31, 1986.

SECTION 448. 20.505 (2) (a) of the statutes is amended to read:

20.505 (2) (a) *General program operations.* The amounts in the schedule for the general program operations of the division of emergency government including, but not limited to, central administrative support services by the department and support of the emergency numbers systems board.

SECTION 449. 20.505 (2) (d) of the statutes is repealed.

SECTION 450. 20.505 (3) (title) of the statutes is amended to read:

20.505 (3) (title) SPECIAL AND EXECUTIVE COMMITTEES, COUNCILS AND BOARDS.

SECTION 451. 20.505 (3) (b) of the statutes is created to read:

20.505 (3) (b) *Women's council operations.* The amounts in the schedule for the general program operations of the women's council under s. 16.01.

SECTION 452. 20.505 (3) (e) and (f) of the statutes are repealed.

SECTION 453. 20.505 (4) (title) of the statutes is amended to read:

20.505 (4) (title) ATTACHED DIVISIONS, BOARDS AND COMMISSIONS.

SECTION 454. 20.505 (4) (c) (title) of the statutes is amended to read:

20.505 (4) (c) (title) *Claims board; general program operations.*

SECTION 455. 20.505 (4) (f) of the statutes is amended to read:

20.505 (4) (f) (title) *Hearings and appeals operations*. The amounts in the schedule for the general program operations of the division of ~~natural resources~~ hearings and appeals.

SECTION 456. 20.505 (4) (k) of the statutes is repealed.

SECTION 457. 20.510 (1) (title) of the statutes is amended to read:

20.510 (1) (title) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS.

SECTION 458. 20.512 (1) (i) of the statutes is created to read:

20.512 (1) (i) *Services to nonstate governmental units*. The amounts in the schedule for the purpose of funding personnel testing services to nonstate governmental units under s. 230.05 (8), including services provided under ss. 49.50 (3) and 59.21 (8) (a). All moneys received from the sale of these services shall be credited to this appropriation.

SECTION 459. 20.512 (1) (n) of the statutes is repealed.

SECTION 459r. 20.515 (1) (w) of the statutes is amended to read:

20.515 (1) (w) *Administration*. All From moneys credited to the public employe trust fund administrative account under s. 40.04 (2), the amounts in the schedule for general program operations.

SECTION 459t. 20.515 (1) (x) of the statutes is created to read:

20.515 (1) (x) *Payments to investment board*. As a continuing appropriation, all moneys credited to the public employe trust fund administrative account under s. 40.04 (2) for payments required by the state of Wisconsin investment board.

SECTION 460. 20.525 (1) (a) of the statutes is amended to read:

20.525 (1) (a) *General program operations*. A sum sufficient for staff salaries and the general program operations of the office of the governor, including amounts authorized for transitional expenses under s. 13.09 (5), but not including programs financed under sub. (3) ~~or (4)~~ ~~or ss. 20.530 and 20.531~~ s. 20.532. The governor is entitled to expenses incident to his or her office from this appropriation, including expenses in connection with any conferences of governors, ~~as prescribed in~~ under s. 14.17.

SECTION 461. 20.525 (4) (title) of the statutes is repealed.

SECTION 462. 20.525 (4) (b) of the statutes is repealed.

SECTION 463. 20.525 (4) (c) of the statutes is repealed.

SECTION 464. 20.525 (4) (i) of the statutes is renumbered 20.525 (1) (i).

SECTION 465. 20.525 (4) (m) of the statutes is repealed.

SECTION 466. 20.530 of the statutes is repealed.

SECTION 467. 20.531 of the statutes is repealed.

SECTION 468. 20.532 (intro.) and (1) (g) of the statutes are created to read:

**20.532 Executive programs; governor's employment and training office.** (intro.) There is appropriated to the governor's employment and training office for the following programs:

(1) (g) *Gifts and grants*. All moneys received from gifts, donations, grants, bequests and devises to carry out the purposes for which made.

SECTION 468m. 20.532 (1) (mp) of the statutes is created to read:

20.532 (1) (mp) *Federal aid—educational programs*. Not less than 50% of the federal moneys received under 29 USC 1602 (b) (1), for programs under s. 14.28 (3).

SECTION 468p. 20.550 (1) (d) of the statutes is amended to read:

20.550 (1) (d) *Private bar and investigator reimbursement*. ~~Biennially, the~~ The amounts in the schedule for the reimbursement of private attorneys appointed to act as counsel for an indigent person under s. 977.08 and reimbursement for contracting for services of private investigators.

SECTION 469. 20.566 (1) (h) of the statutes is repealed and recreated to read:

20.566 (1) (h) *Debt collection*. From moneys received from the collection of debts owed to state agencies under s. 71.105, the amounts in the schedule to pay the administrative expenses of the department of revenue for the collection of those debts.

SECTION 471. 20.566 (1) (hp) of the statutes is created to read:

20.566 (1) (hp) *Administration of endangered resources voluntary payments*. The amounts in the schedule for the payment of all administrative costs, except data processing costs, incurred in administering s. 71.097. All moneys certified under s. 71.097 (3) (b) 1 shall be credited to this appropriation.

SECTION 472. 20.566 (2) (h) of the statutes is amended to read:

20.566 (2) (h) (title) *Reassessments*. The amounts in the schedule for the purposes of ss. 70.055, 70.75 and ~~70.85~~ 73.08. All moneys received under ss. 70.055, 70.75 and ~~70.85~~ 73.08 shall be credited to this appropriation.

SECTION 472m. 20.566 (2) (h) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

20.566 (2) (h) *Reassessments*. The amounts in the schedule for the purposes of ss. 70.055, and 70.75 ~~and~~ 73.08. All moneys received under ss. 70.055, and 70.75 ~~and~~ 73.08 shall be credited to this appropriation.

SECTION 473. 20.566 (3) (gm) of the statutes is created to read:

20.566 (3) (gm) *Reciprocity agreement and publications*. The amounts in the schedule to provide services for the Minnesota income tax reciprocity agreement under s. 71.03 (3) and for publications except as provided in par. (g) and sub. (2) (hi). All moneys received by the department of revenue in return for the provision of these services shall be credited to this appropriation.

SECTION 474. 20.566 (3) (gp) of the statutes is created to read:

20.566 (3) (gp) *Data processing costs for endangered resources voluntary payments*. The amounts in the schedule for the payment of data processing costs incurred in administering s. 71.097. All moneys certified under s. 71.097 (3) (b) 2 shall be credited to this appropriation.

SECTION 475. 20.566 (7) (dz) of the statutes is renumbered 20.855 (4) (fa) and amended to read:

20.855 (4) (fa) *General fund loan to the investment and local impact fund board*. As a continuing appropriation, the amounts in the schedule to be disbursed as a general fund loan to the investment and local impact board for the purposes of s. 70.395 whenever the unencumbered balances of the appropriations under ~~pars. s. 20.566 (7) (e) and (v)~~ are zero. ~~Beginning with fiscal year 1983-84 and ending with fiscal year 1985-86, the amounts in the schedule shall be \$250,000.~~ On July 1, 1988, the unencumbered balance of this appropriation shall lapse to the general fund and the investment and local impact fund board shall pay to the general fund from the investment and local impact fund an amount equal to the amount of the general fund loan made under this paragraph, or the unencumbered balance in the appropriation under ~~par. s. 20.566 (7) (v)~~, whichever is greater. If there are insufficient funds in the investment and local impact fund to repay in full the principal and interest on the general fund loan made under this paragraph on such date, interest of 3% per year on the balance due shall accrue to the general fund. Commencing on July 1, 1988, the board shall pay quarterly to the general fund any amounts in the investment and local impact fund or the balance due on the general fund loan made under this paragraph including interest, whichever is less, until the general fund loan made under this paragraph is repaid in full.

SECTION 475m. 20.566 (7) (v) of the statutes is amended to read:

20.566 (7) (v) *Investment and local impact fund.* From the investment and local impact fund, all moneys received under ss. 70.395 (1) (a) and (1g) (b) and 70.40 (3), less the moneys appropriated under s. 20.370 (2) (cr), to be disbursed under ss. 70.395 (2) (d) to (g), 144.855 (5) (a) and 144.838 (4).

SECTION 476. 20.566 (8) (v) of the statutes is amended to read:

20.566 (8) (v) *Revenue obligation funding.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 77.67 and deposited in the fund created under s. 18.57 (1), for the costs of issuance and management of the obligations, to provide related reserve funds and for providing loans and reserves under purposes of subch. IV of ch. 77, issued under subch. II of ch. 18. These moneys may be dedicated to the system of funds and accounts under s. 77.67 (2). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 477. 20.566 (8) (y) of the statutes is renumbered 20.566 (8) (q).

SECTION 478. 20.575 (1) (gm) of the statutes is created to read:

20.575 (1) (gm) *Annual report surcharge.* All moneys received under ss. 180.87 (1) (jm) and (pm) and 185.83 (1) (em) for a computer information system in the corporations division.

SECTION 479. 20.575 (1) (gm) of the statutes, as created by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 480. 20.590 of the statutes is repealed.

SECTION 480m. 20.625 (2) of the statutes is repealed.

SECTION 480s. 20.665 (1) (c) of the statutes is repealed.

SECTION 480t. 20.665 (1) (m) of the statutes is repealed.

SECTION 481. 20.680 (2) (h) of the statutes is created to read:

20.680 (2) (h) *Materials and services.* The amounts in the schedule to provide services and replace inventory items under s. 758.19 (2). All moneys received from providing those services and selling documents under s. 758.19 (2) shall be credited to this appropriation.

SECTION 481m. 20.680 (2) (i) of the statutes is created to read:

20.680 (2) (i) *Municipal judge training.* The amounts in the schedule for municipal judge training. All moneys received from municipalities for municipal judge training programs shall be credited to this appropriation.

SECTION 482. 20.680 (4) (g) of the statutes is created to read:

20.680 (4) (g) *Library collections and services.* The amounts in the schedule for photocopying, microfilm copying, books, computer services and other services provided by the state law library in carrying out its functions. All moneys received by the library as fees or other charges for photocopying, microfilm copying, computer services, sales of books and other services provided in carrying out the functions of the library under s. 758.01 (2) shall be credited to this appropriation.

SECTION 483. 20.765 (1) (a) of the statutes is amended to read:

20.765 (1) (a) (title) *General program operations — assembly.* A sum sufficient to carry out the functions of the ~~senate and~~ assembly, excluding ~~processing of~~ expenses for legislative documents and records.

SECTION 484. 20.765 (1) (b) of the statutes is renumbered 20.765 (1) (c).

SECTION 485. 20.765 (1) (b) of the statutes is created to read:

20.765 (1) (b) *General program operations — senate.* A sum sufficient to carry out the functions of the senate, excluding expenses for legislative documents.

SECTION 486. 20.765 (1) (d) of the statutes is amended to read:

20.765 (1) (d) (title) *Legislative documents*. A sum sufficient to pay legislative expenses for ~~processing acquisition, production, retention, sales and distribution of legislative documents and records authorized~~ under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e) and 13.93 (3) and 35.78 (1) or the rules of the senate and assembly.

SECTION 487. 20.765 (2) (a) of the statutes is amended to read:

20.765 (2) (a) (title) *Retirement committees*. For the joint survey committee on retirement systems and the retirement research committee, the amounts in the schedule to perform ~~its~~ their functions under ~~s. 13.50~~ ss. 13.50 and 13.51.

SECTION 488. 20.765 (2) (cb) of the statutes is amended to read:

20.765 (2) (cb) *Membership in national associations*. A sum sufficient to be disbursed as directed by the commission on interstate cooperation, to pay the annual fees entitling the legislature to membership in national organizations including, without limitation because of enumeration, the national conference of state legislatures, the council of state governments and the national committee on uniform traffic laws and ordinances.

SECTION 489. 20.765 (3) (em) of the statutes is repealed.

SECTION 489m. 20.835 (1) (f) of the statutes is created to read:

20.835 (1) (f) *1984 minimum payment*. The amounts in the schedule to fund payments under s. 79.07.

**Vetoed  
in Part** SECTION 489n. 20.835 (2) (cm) of the statutes is created to read:  
20.835 (2) (cm) *Home rehabilitation credit*. A sum sufficient to pay the claims approved under s. 71.09 (12p).

SECTION 490m. 20.835 (2) (ep) of the statutes is created to read:

20.835 (2) (ep) *Cigarette tax refunds*. A sum sufficient to pay refunds under ss. 139.323 and 139.325.

SECTION 491. 20.855 (1) of the statutes is repealed.

SECTION 492. 20.855 (3) of the statutes is repealed.

SECTION 493. 20.855 (4) (ca) of the statutes is created to read:

20.855 (4) (ca) *Minnesota income tax reciprocity bench mark*. Biennially, the amounts in the schedule to fund a bench mark study by the department of revenue of the revenue loss under s. 71.03 (3) (b).

SECTION 494. 20.855 (4) (r) of the statutes is repealed.

SECTION 495m. 20.855 (6) (title) of the statutes is amended to read:

20.855 (6) (title) MISCELLANEOUS RECEIPTS.

SECTION 495n. 20.855 (6) (n) of the statutes is repealed.

SECTION 496. 20.855 (8) (title) of the statutes is amended to read:

20.855 (8) (title) DATA PROCESSING SERVICE CENTERS.

SECTION 497. 20.855 (9) of the statutes is repealed.

SECTION 498. 20.865 (1) (a) of the statutes is amended to read:

20.865 (1) (a) *Judgments and legal expenses*. ~~Biennially, the amounts in the schedule~~ A sum sufficient to pay for legal expenses under ss. 59.31 and 776.43, and for the costs of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 ~~and chapter 582, laws of 1944~~ that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 499. 20.865 (1) (c) of the statutes is amended to read:

20.865 (1) (c) *Compensation plan adjustments.* ~~Biennially, the amounts in the schedule as transferred under s. 16.40 (17),~~ A sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employes in the classified service and comparable adjustments for those employes in the unclassified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 500. 20.865 (1) (ci) of the statutes is amended to read:

20.865 (1) (ci) *University system faculty and academic pay adjustments.* ~~Biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ A sum sufficient to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d), as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 501. 20.865 (1) (cm) of the statutes is amended to read:

20.865 (1) (cm) *Collective bargaining agreements.* ~~Biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ A sum sufficient to pay the cost of pay and related adjustments approved by the legislature under s. 111.92, as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 502. 20.865 (1) (d) of the statutes is amended to read:

20.865 (1) (d) *Employer fringe benefit costs.* ~~Biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ A sum sufficient to pay the cost of state employer contributions for state employe fringe benefits other than health insurance under chs. 40 and 108 and ss. 56.21 and 66.191, as determined under s. 20.928.

SECTION 503. 20.865 (1) (di) of the statutes is created to read:

20.865 (1) (di) *Employer health insurance costs.* A sum sufficient to pay the cost of state employer contributions for state employe health insurance under subch. IV of ch. 40, as determined under s. 20.928.

SECTION 504. 20.865 (1) (dm) of the statutes is amended to read:

20.865 (1) (dm) *Risk management — worker's compensation.* ~~Biennially, the amounts in the schedule~~ A sum sufficient to pay for the state employer's costs for state employes' worker's compensation under ch. 102, including but not limited to any investigative and adjustment fees, data processing and support staff costs, litigation costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5). The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated cost attributable to programs not funded from general purpose revenue to be paid from this appropriation. Costs may be charged to and collected from state agencies on an estimated or premium basis and paid from this appropriation on an actual basis.

SECTION 505. 20.865 (1) (f) of the statutes is amended to read:

20.865 (1) (f) *Risk management — state property.* ~~Biennially, the amounts in the schedule~~ A sum sufficient to pay for damage to state property under s. 16.865 (4) including, but not limited to, any investigative and adjustment fees and the cost of insurance contracts arranged by the department of administration to protect the state against risk

of loss as provided under s. 16.865 (5). The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under s. 16.865 (4) and (5) to be paid from this appropriation.

SECTION 506. 20.865 (1) (fm) of the statutes is amended to read:

20.865 (1) (fm) *Risk management — liability.* ~~Biennially, the amounts in the schedule~~ A sum sufficient to pay settlements made under s. 165.25 (6), the costs incurred under ss. 775.04, 895.46 (1) and 895.47 including any judgments, investigative and adjustment fees and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865. The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under ss. 16.865 and 895.46 (1) to be paid from this appropriation.

SECTION 507. 20.865 (1) (fn) of the statutes is amended to read:

20.865 (1) (fn) *Physically handicapped supplements.* ~~Biennially, the amounts in the schedule to pay the cost of acquiring or renting special office equipment to accommodate a physical disability of a state employe, who without which could not be employed by the state. Items purchased or rented under this section shall be limited to office furniture, equipment and communication devices perform the responsibilities of the position to which he or she is appointed.~~

SECTION 508. 20.865 (1) (g) of the statutes is amended to read:

20.865 (1) (g) *Judgments and legal expenses; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to pay for legal expenses under ss. 59.31 and 776.43, and for the cost of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 ~~and chapter 582, laws of 1911~~ that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 509. 20.865 (1) (i) of the statutes is amended to read:

20.865 (1) (i) *Compensation plan adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 for nonrepresented employes in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 510. 20.865 (1) (ic) of the statutes is amended to read:

20.865 (1) (ic) *University system employe pay adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to the university of Wisconsin system to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d), as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employes.

SECTION 511. 20.865 (1) (im) of the statutes is amended to read:

20.865 (1) (im) *Collective bargaining agreements; program revenues.* From the appropriate program revenue and program revenue-service accounts, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to state agencies to pay the cost of pay and related adjustments approved by the legislature under s. 111.92, as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 512. 20.865 (1) (j) of the statutes is amended to read:

20.865 (1) (j) *Employer fringe benefit costs; program revenues.* From the appropriate program revenue and program revenue-service accounts, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to state agencies to pay the cost of state employer contributions for state employee fringe benefits other than health insurance under chs. 40 and 108 and ss. 56.21 and 66.191, as determined under s. 20.928.

SECTION 513. 20.865 (1) (ji) of the statutes is created to read:

20.865 (1) (ji) *Employer health insurance costs; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to pay the cost of state employer contributions for state employee health insurance under subch. IV of ch. 40.

SECTION 513e. 20.865 (1) (k) of the statutes is created to read:

20.865 (1) (k) *Risk management — worker's compensation; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for employees' worker's compensation under ch. 102 to state agencies under par. (dm).

SECTION 513m. 20.865 (1) (kg) of the statutes is created to read:

20.865 (1) (kg) *Risk management — state property; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of damages to state property to state agencies under par. (f).

SECTION 513s. 20.865 (1) (kr) of the statutes is created to read:

20.865 (1) (kr) *Risk management — liability; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of judgments, settlements and other costs specified in par. (fm) to state agencies under that paragraph.

SECTION 514. 20.865 (1) (Ln) of the statutes is amended to read:

20.865 (1) (Ln) *Physically handicapped supplements; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies to pay the cost of acquiring or renting special office equipment to accommodate a physical disability of a state employee, who without which could not be employed by the state. ~~Items purchased or rented under this paragraph are limited to office furniture, equipment and communications devices~~ perform the responsibilities of the position to which he or she is appointed.

SECTION 515. 20.865 (1) (q) of the statutes is amended to read:

20.865 (1) (q) *Judgments and legal expenses; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay for legal expenses under ss. 59.31 and 776.43, and for the cost of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 ~~and chapter 582, laws of 1911~~ that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 516. 20.865 (1) (s) of the statutes is amended to read:

20.865 (1) (s) *Compensation plan adjustments; segregated revenues.* From the appropriate segregated funds, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 for nonrepresented employees in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employees under s. 20.923 (2) need not be paid comparable adjustments. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 517. 20.865 (1) (si) of the statutes is amended to read:

20.865 (1) (si) *University system employe pay adjustments; segregated revenues.* From the appropriate segregated funds, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to the university of Wisconsin system to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employees under ss. 20.923 (5) and (6) (m) and 230.12 (2) (d), as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 518. 20.865 (1) (sm) of the statutes is amended to read:

20.865 (1) (sm) *Collective bargaining agreements; segregated revenues.* From the appropriate segregated funds, ~~biennially, the amounts in the schedule, as transferred under s. 16.40 (17),~~ a sum sufficient to supplement the appropriations to state agencies to pay the cost of pay and related adjustments approved by the legislature under s. 111.92, as determined under s. 20.928. No moneys may be expended from this appropriation for the cost of any form of length of service payments to state employees.

SECTION 519. 20.865 (1) (t) of the statutes is amended to read:

20.865 (1) (t) *Employer fringe benefit costs; segregated revenues.* From the appropriate segregated funds, biennially, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of state employer contributions for state employe fringe benefits other than health insurance under chs. 40 and 108 and ss. 56.21 and 66.191, as determined under s. 20.928.

SECTION 520. 20.865 (1) (ti) of the statutes is created to read:

20.865 (1) (ti) *Employer health insurance costs; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay the cost of state employer contributions for state employe health insurance under subch. IV of ch. 40.

SECTION 520e. 20.865 (1) (u) of the statutes is created to read:

20.865 (1) (u) *Risk management — worker's compensation; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for employees' worker's compensation under ch. 102 to state agencies under par. (dm).

SECTION 520m. 20.865 (1) (ug) of the statutes is created to read:

20.865 (1) (ug) *Risk management — state property; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of damages to state property to state agencies under par. (f).

SECTION 520s. 20.865 (1) (ur) of the statutes is created to read:

20.865 (1) (ur) *Risk management — liability; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of judgments, settlements and other costs specified in par. (fm) to state agencies under that paragraph.

SECTION 521. 20.865 (1) (vn) of the statutes is amended to read:

20.865 (1) (vn) *Physically handicapped supplements; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to pay the cost of acquiring or renting special office equipment to accommodate a physical disability of a state employe, who without which could not be employed by the state. Items purchased under this paragraph are limited to office furniture, equipment and communications devices perform the responsibilities of the position to which he or she is appointed.

SECTION 522. 20.865 (2) (b) of the statutes is amended to read:

20.865 (2) (b) *Parking rental cost.* The amounts in the schedule to pay parking rental expenses for constitutional officers and employes designated under s. 16.843, and for legislators and officers of the senate and assembly, in accord accordance with a biennial parking plan adopted by the joint committee on legislative organization.

SECTION 523. 20.865 (2) (f) of the statutes is repealed.

SECTION 524. 20.865 (5) (title) of the statutes is repealed.

SECTION 525. 20.865 (5) (g), (h), (i), (j) and (m) of the statutes are renumbered 20.855 (6) (g), (h), (i), (j) and (m), respectively.

SECTION 526. 20.865 (9) of the statutes is repealed.

SECTION 527m. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under ss. 20.115 (5) (j) and (7) (e), 20.225 (1) (c), 20.245 (1) (e), 20.250 (1) (e), 20.255 (2) (e) (1) (d), 20.285 (1) (d) and (gb), 20.370 (1) (kc) and (kr), (4) (jb), (ka) and (kd) (jc), (jd) and (je) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.435 (2) (ee) and (3) (e) and (5) (e), 20.455 (2) (cm), 20.465 (1) (d), 20.485 (1) (f) and (3) (t) and 20.867 (1) (a), (b) and (i) and (3) (a), (b), (g) and (h) and (i) for the payment of principal and interest on public debt acquired in accordance with ch. 18.

Vetoed  
in Part

SECTION 528. 20.866 (2) (intro.) of the statutes is amended to read:

20.866 (2) CAPITAL IMPROVEMENT AUTHORIZATIONS. (intro.) Estimated disbursements under this subsection shall not be included in the schedule under s. 20.005. There is appropriated to the building commission for the following agencies and purposes:

SECTION 529. 20.866 (2) (s) of the statutes is amended to read:

20.866 (2) (s) *University of Wisconsin; academic facilities.* As a continuing appropriation from From the capital improvement fund, the amounts in the schedule a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed \$395,084,300 \$425,979,800 for this purpose.

SECTION 530. 20.866 (2) (t) of the statutes is amended to read:

20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~\$106,015,100~~ \$92,835,100 for this purpose.

SECTION 531. 20.866 (2) (tm) of the statutes is amended to read:

20.866 (2) (tm) *Natural resources; pollution abatement and sewage collection facilities, ORAP funding.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under ss. 144.21 and 144.23. The state may contract public debt in an amount not to exceed \$146,850,000 for this purpose. Of this amount, \$5,000,000 is allocated for point source water pollution abatement facilities and sewage collection facilities under s. 144.23.

SECTION 532. 20.866 (2) (tn) of the statutes is amended to read:

20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 144.24 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and for payment of capital improvement encumbrances authorized under s. 144.24 regardless of when encumbrances were incurred. The state may contract public debt in an amount not to exceed ~~\$296,674,800~~ \$492,511,400 for this purpose.

SECTION 533p. 20.866 (2) (to) of the statutes is amended to read:

20.866 (2) (to) *Natural resources; pollution abatement and sewage collection facilities; combined sewer overflow.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to the department of natural resources to provide funds for the construction of combined sewer overflow projects and for eligible engineering design costs under s. 144.242. The state may contract public debt in an amount not to exceed ~~\$40,000,000~~ \$120,000,000 for this purpose.

SECTION 534. 20.866 (2) (tp) of the statutes is amended to read:

20.866 (2) (tp) *Natural resources; recreation facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the department of natural resources to acquire, construct, develop or enlarge state recreation facilities and to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92. The state may contract public debt in an amount not to exceed \$56,055,000 for this purpose. Of this amount, \$1,200,000 is allocated to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92.

SECTION 535. 20.866 (2) (tr) of the statutes is created to read:

20.866 (2) (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities. The state may contract public debt in an amount not to exceed \$1,350,000 for this purpose.

SECTION 536. 20.866 (2) (ts) of the statutes is amended to read:

20.866 (2) (ts) *Natural resources; land acquisition.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of natural resources for outdoor recreation land acquisition activities. The state may contract public debt in an amount not to exceed ~~\$9,153,600~~ \$17,903,600 for this purpose.

~~SECTION 536m. 20.866 (2) (tt) of the statutes is created to read:~~

~~20.866 (2) (tt) *Natural resources; recycling and resource recovery loan program.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide low interest loans for solid waste recycling and resource recovery facilities under the recycling and resource recovery loan program under s. 144.796. The state may contract public debt in an amount not to exceed \$44,000,000 for this purpose. Of this amount at least \$40,000,000 shall be designated for loans for the recycling and resource recovery projects in counties which were involved in negotiations with the Wisconsin solid waste recycling authority under ch. 232, 1981 stats., and are located in areas for which the authority received a federal solid waste management planning grant from the federal environmental protection agency.~~

**Vetoed  
in Part**

SECTION 537. 20.866 (2) (tu) of the statutes is amended to read:

20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to construct, develop, enlarge or improve recreation facilities. The state may contract public debt in an amount not to exceed ~~\$3,881,800~~ \$3,722,500 for this purpose.

SECTION 538. 20.866 (2) (tv) of the statutes is amended to read:

20.866 (2) (tv) *Natural resources; general tax supported administrative facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$3,809,300~~ \$3,619,300 for this purpose.

SECTION 539. 20.866 (2) (u) of the statutes is amended to read:

20.866 (2) (u) *Transportation; administrative facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of transportation to acquire, construct, develop, enlarge or improve transportation administrative office or equipment storage and maintenance and operating facilities under s. 84.01 (28). The state may contract public debt in an amount not to exceed \$8,890,400 for this purpose.

SECTION 540. 20.866 (2) (ug) of the statutes is amended to read:

20.866 (2) (ug) *Transportation; accelerated bridge improvements.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to acquire, construct, develop, enlarge or improve intrastate bridges under s. 84.11 and interstate bridges under s. 84.12. The state may contract public debt in an amount not to exceed \$46,849,800 for this purpose.

SECTION 541. 20.866 (2) (ur) of the statutes is amended to read:

20.866 (2) (ur) *Transportation; accelerated highway improvements.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to acquire, construct, develop, enlarge, or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may contract public debt in an amount not to exceed \$185,000,000 for this purpose.

SECTION 542. 20.866 (2) (us) of the statutes is amended to read:

20.866 (2) (us) *Transportation; connecting highway improvements.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to acquire, construct, reconstruct, resurface, develop, enlarge or improve connecting highway facilities as provided by s. 84.51 (3). The state may contract public debt in an amount not to exceed \$15,000,000 for this purpose.

SECTION 543. 20.866 (2) (ut) of the statutes is amended to read:

20.866 (2) (ut) *Transportation; federally aided highway facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to acquire, construct, develop, enlarge or improve highway facilities as provided by s. 84.53. The state may contract public debt in an amount not to exceed \$10,000,000 for this purpose.

SECTION 544. 20.866 (2) (uu) of the statutes is amended to read:

20.866 (2) (uu) *Transportation; highway projects.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the department of transportation to acquire, construct, reconstruct, improve or develop highway projects under ss. 84.06, 84.09 and 84.51 (3m). The state may contract public debt in an amount not to exceed \$67,000,000 for this purpose. ~~The public debt authorized under this paragraph may not exceed \$28,000,000 until on or after July 1, 1983.~~

SECTION 545. 20.866 (2) (uv) of the statutes is amended to read:

20.866 (2) (uv) *Transportation, harbor improvements.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed \$4,000,000 for this purpose.

SECTION 546. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$44,236,700~~ \$44,460,300 for this purpose.

SECTION 547. 20.866 (2) (w) of the statutes is amended to read:

20.866 (2) (w) *Health and social services; correctional facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or improve correctional facilities. The state may contract public debt in an amount not to exceed ~~\$123,880,300~~ \$140,198,100 for this purpose.

SECTION 548. 20.866 (2) (x) of the statutes is amended to read:

20.866 (2) (x) *Building commission; previous lease rental authority.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to the building commission to acquire, construct, develop, enlarge or improve facilities authorized by the legislature prior to July 1, 1969. The state may contract public debt in an amount not to exceed \$143,171,600 for this purpose.

SECTION 549. 20.866 (2) (xa) of the statutes is amended to read:

20.866 (2) (xa) *Building commission; refunding corporation tax supported debt.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ a sum sufficient to fund or refund the whole or any part of any unpaid indebtedness used to finance facilities in which lease rental payments are paid from general purpose revenue and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation or the Wisconsin state public building corporation. The state may contract public debt in an amount not to exceed ~~\$130,147,200~~ \$120,330,700 for this purpose.

pose. Such indebtedness shall be construed to include any premium payable with respect thereto. ~~Upon incurring any portion of the debt authorized~~ Debt incurred by this paragraph, ~~the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (s), (v), (w), (y) or (zm) in proportional amounts to the purposes for which purpose the debt was refinanced.~~ It is the intent of the legislature that this refunding authority only be used if the ~~net~~ true interest costs to the state can be reduced.

SECTION 550. 20.866 (2) (xb) of the statutes is amended to read:

20.866 (2) (xb) *Building commission; refunding corporation self-amortizing debt.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed ~~\$83,022,800~~ \$78,827,400 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. ~~Upon incurring any portion of the debt authorized~~ Debt incurred by this paragraph, ~~the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the purposes for which purpose the debt was refinanced.~~ The refunding authority provided in this paragraph may be used only if the ~~net~~ true interest costs to the state can be reduced thereby.

SECTION 551. 20.866 (2) (xc) of the statutes is amended to read:

20.866 (2) (xc) *Building commission; refunding tax supported general obligation debt.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are paid from general purpose revenue. The state may contract public debt in an amount not to exceed \$70,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. ~~Upon incurring any portion of the debt authorized~~ Debt incurred by this paragraph, ~~the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (tm), (tp), (tu), (u), (ug), (ur), (ut), (v), (w), (y), (z), (zb), (zd), (zf), (zh), (zj) or (zm) shall be repaid under the appropriations providing for the retirement of public debt incurred for tax-supported facilities in proportional amounts to the purposes for which purpose the debt was refinanced.~~ It is the intent of the legislature that this refunding authority only be used if the ~~net~~ true interest costs to the state can be reduced.

SECTION 552. 20.866 (2) (xd) of the statutes is amended to read:

20.866 (2) (xd) *Building commission; refunding self-amortizing general obligation debt.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are repaid from program revenues or segregated funds. The state may contract public debt in an amount not to exceed \$30,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. ~~Upon incurring any portion of the debt authorized~~ Debt incurred by this paragraph, ~~the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (zn) or (zz) shall be repaid under the appro-~~

priations providing for the retirement of public debt incurred for self-amortizing facilities in proportional amounts to the purposes for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the ~~net~~ true interest costs to the state can be reduced.

SECTION 553. 20.866 (2) (y) of the statutes is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$77,057,400~~ \$77,257,400 for this purpose.

SECTION 554. 20.866 (2) (ym) of the statutes is created to read:

20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed \$14,500,000 for this purpose.

SECTION 555. 20.866 (2) (z) of the statutes is amended to read:

20.866 (2) (z) *Building commission; other public purposes.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~\$79,493,000~~ \$109,118,000 for this purpose.

SECTION 556. 20.866 (2) (zb) of the statutes is amended to read:

20.866 (2) (zb) *Medical college of Wisconsin, inc., basic science education facility.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient for the medical college of Wisconsin, inc., to aid in the construction of a basic science education facility. The state may contract public debt in an amount not to exceed \$8,000,000 for this purpose.

SECTION 557. 20.866 (2) (zd) of the statutes is amended to read:

20.866 (2) (zd) *Educational communications facilities.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed \$3,795,600 for this purpose.

SECTION 558. 20.866 (2) (zf) of the statutes is amended to read:

20.866 (2) (zf) *Historical society, historic sites.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient for the historical society to acquire, construct, develop, enlarge or improve historic sites and facilities. The state may contract public debt in an amount not to exceed \$1,839,000 for this purpose.

SECTION 559. 20.866 (2) (zg) of the statutes is amended to read:

20.866 (2) (zg) *Historical society, museum facility.* ~~As a continuing appropriation, from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient for the historical society to acquire and remodel a museum facility. The state may contract public debt in an amount not to exceed ~~\$1,000,000~~ \$2,482,000 for this purpose.

SECTION 560. 20.866 (2) (zh) of the statutes is amended to read:

20.866 (2) (zh) (title) *Public instruction, state schools.* ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule~~ a sum sufficient for the department of public instruction to acquire, construct, develop, enlarge or im-

prove institutional facilities for the deaf and the ~~blind~~ visually handicapped. The state may contract public debt in an amount not to exceed \$5,274,700 for this purpose.

SECTION 561. 20.866 (2) (zj) of the statutes is amended to read:

20.866 (2) (zj) *Military affairs, armories and military facilities*. ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~\$2,496,000~~ \$3,496,000 for this purpose.

SECTION 562. 20.866 (2) (zm) of the statutes is amended to read:

20.866 (2) (zm) *Veterans affairs, Wisconsin veterans home*. ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at the Wisconsin veterans home. The state may contract public debt in an amount not to exceed \$2,356,000 for this purpose.

SECTION 563. 20.866 (2) (zn) of the statutes is amended to read:

20.866 (2) (zn) *Veterans affairs, self-amortizing mortgage loans*. ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ for the department of veterans affairs for loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~\$1,100,000,000~~ \$1,200,000,000 for this purpose.

SECTION 563m. 20.866 (2) (zp) of the statutes is created to read:

20.866 (2) (zp) *Agriculture; animal waste water pollution*. As a continuing appropriation from the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide funds for the animal waste water pollution grant program under s. 92.15. The state may contract public debt in an amount not to exceed \$1,000,000 for this purpose.

SECTION 564. 20.866 (2) (zz) of the statutes is amended to read:

20.866 (2) (zz) *Agriculture; self-amortizing facilities*. ~~As a continuing appropriation from~~ From the capital improvement fund, ~~the amounts in the schedule a sum sufficient~~ to the department of agriculture, trade and consumer protection to acquire, construct, develop, enlarge or improve facilities at state fair park in West Allis. The state may contract public debt not to exceed ~~\$18,000,000~~ \$9,000,000 for this purpose.

SECTION 565. 20.867 (1) (a) (title) of the statutes is amended to read:

20.867 (1) (a) (title) *Principal repayment and interest; housing of state agencies*.

SECTION 566. 20.867 (1) (b) of the statutes is created to read:

20.867 (1) (b) *Principal repayment and interest; capitol and executive residence*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing building projects at the capitol and executive residence.

SECTION 567. 20.867 (2) (f) of the statutes is amended to read:

20.867 (2) (f) *Facilities maintenance and improvement*. ~~Except for the 1981-83 fiscal biennium, wherein a total of \$4,777,600 is authorized, biennially an amount equal to 1.5% of the value of state buildings, structures, utility plants and equipment therein, excepting those under the jurisdiction of the department of transportation, as appraised by the department of administration in accordance with s. 13.48 (3), Biennially, the amounts in the schedule~~ for the purposes of carrying out the long-range building program under s. 13.48. The amounts provided under this paragraph shall be transferred to the appropriation made by par. (q) to carry out the purposes of that paragraph. Notwithstanding s. 20.001 (3) (b), all amounts thus transferred and all prior appropriations made under the authority of this paragraph are nonlapsing.

SECTION 568m. 20.867 (2) (v) of the statutes is repealed and recreated to read:

20.867 (2) (v) *Building program funding contingency*. As a continuing appropriation, the amounts in the schedule from interest earnings of the capital improvement fund accrued before October 1, 1983, for minimum maintenance and health and safety, energy conservation, advanced planning and minor projects.

SECTION 569. 20.867 (3) (i) of the statutes is created to read:

20.867 (3) (i) *Principal repayment and interest*. A sum sufficient to pay principal and interest on public debt contracted under s. 20.866 (2) (ym). All payments under this paragraph shall be repaid to the general fund from the revenues of departments and agencies for which capital equipment is financed under s. 20.866 (2) (ym).

SECTION 570. 20.867 (3) (w) of the statutes is amended to read:

20.867 (3) (w) *Bonding services*. From the capital improvement fund, a sum sufficient to pay the expenses of contracting and managing public debt and revenue obligations issued pursuant to ch. 18, and for reimbursing the legislative audit bureau for providing opinion audits of financial statements and the general fund for bond counsel services under s. 165.25 (4m) (4) (b).

SECTION 570m. 20.867 (4) of the statutes is created to read:

20.867 (4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS. (q) *Funding in lieu of borrowing*. As a continuing appropriation, all interest earnings of the capital improvement fund accrued after September 30, 1983, to permit funding in lieu of borrowing for the purposes for which the contracting of public debt is authorized under s. 20.866 (2). Expenditures from this appropriation for each purpose under s. 20.866 (2) may not exceed the net interest earnings attributable to the corresponding account created under s. 18.08 (1) (b). Notwithstanding s. 20.866 (2) or any nonstatutory state building program project enumeration, this appropriation may be used in lieu of borrowing under s. 20.866 (2).

SECTION 571. 20.876 of the statutes is repealed.

SECTION 572. 20.877 of the statutes is repealed.

SECTION 573. 20.878 of the statutes is repealed.

SECTION 573m. 20.901 (1) (b) of the statutes is amended to read:

20.901 (1) (b) Notwithstanding ss. 230.047 and 230.29, in the case of an emergency which is the result of natural or human causes, state agencies may cooperate to maintain required state services through the temporary interchange of employees. The interchange of employes may be of 2 types: where an appointing authority declares an emergency in writing to the governor; or where the governor or his or her designee declares an emergency. If an appointing authority declares an emergency, the interchange of employes is voluntary on the part of those employes designated by the sending state agency as available for interchange. If the governor or his or her designee declares an emergency, the governor may require a temporary interchange of employees. An emergency which is declared by an appointing authority may not exceed 72 hours unless an extension is approved by the governor or his or her designee. An employe who is assigned temporary interchange duties may be required to perform work which is not normally performed by the employe or described in his or her position classification. An interchange employe shall be paid at the rate of pay for the employe's permanent job unless otherwise authorized by the ~~administrator of the division of personnel in the department~~ secretary of employment relations. State agencies receiving employes on interchanges shall keep appropriate records and reimburse the sending state agencies for authorized salaries and expenses. The ~~administrator~~ secretary of employment relations may institute temporary pay administration policies as required to facilitate the handling of such declared emergencies.

SECTION 573s. 20.903 (1) of the statutes is amended to read:

20.903 (1) **LIABILITIES CREATED ONLY BY AUTHORITY OF LAW.** Except as provided in s. 20.002 (11), no state agency, and no officer or employe thereof, may contract or create, directly or indirectly, any debt or liability against the state for or on account of any state agency, for any purpose, without authority of law therefor, or prior to an appropriation of money by the state to pay the debt or liability, or in excess of an appropriation of money by the state to pay such debt or liability. Any arrangement made by a state agency, or any officer or employe thereof, with a vendor or contractor to deliver merchandise or provide services and inordinately delay the billing for such merchandise or services for the purpose of circumventing budgetary intent is a violation of this subsection. Unless otherwise empowered by law, no state agency may authorize, direct or approve the diversion, use or expenditure, directly or indirectly, of any money or property belonging to, or appropriated or set aside by law for a specific use, to or for any other purpose or object than that for which the same has been or may be so set apart. Nothing in this subsection may be construed to prevent the employment of the inmates or ordinary laborers at any institution to aid in the prosecution of work for which appropriations have been made. Whenever any state agency obtains information or evidence of a possible violation of this subsection, it shall provide the information or evidence to the joint committee on finance and the secretary of administration. Any person who violates this section may be ~~fin~~ required to forfeit not less than \$200 nor more than \$1,000 ~~or imprisoned not less than one month nor more than 6 months, or both.~~

SECTION 574. 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), the appropriations under ss. 20.395 (5) ~~(er) and (es)~~, and 20.505 (1) (i), (ka), (kb), ~~(kc)~~, (kd) and (kg) ~~and 20.855 (8) (k), (ka) and (kb)~~ may be encumbered and moneys expended therefrom in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.395 (5) ~~(er) and (es)~~ and 20.505 (1) (i), (ka), (kb), ~~(kc)~~, (kd) and (kg) ~~and the depreciated value of data processing hardware, software, and related equipment for regional data processing service center operations financed under s. 20.855 (8) (k), (ka) and (kb)~~. The secretary of administration may require such statements of outstanding accounts receivable as he or she deems necessary before allotting sums in excess of the unencumbered appropriation balance. For the purposes of this subsection only, the secretary shall consider as accrued accounts receivable on each June 30, the federal aid funds allotted and \$8,000,000 of the revenues from imposts which the department of transportation has obligated under s. 84.01 (20).

SECTION 575. 20.912 (4) of the statutes is amended to read:

20.912 (4) **INSOLVENT BANKS.** When the bank on which any check or draft is drawn by the state treasurer before payment of such check or draft becomes insolvent or is taken over by the commissioner of banking or U.S. comptroller of the currency, the state treasurer shall on the demand of the person in whose favor such check or draft was drawn and upon the return to the treasurer of such check or draft issue a ~~duplicate~~ replacement for the same amount.

SECTION 576. 20.912 (5) of the statutes is amended to read:

20.912 (5) (title) **LOST, STOLEN OR DESTROYED CHECKS.** If any check or draft drawn and issued by the state treasurer is ~~lost, stolen~~ or destroyed and the bank on which the check or draft is drawn has been notified to stop payment thereon, the state treasurer may, after acknowledgment by the bank that the check or draft has not been paid, issue a ~~duplicate~~ replacement check or draft and thereafter the state treasurer shall be relieved from all liability thereon.

SECTION 577. 20.915 (3) of the statutes is repealed.

SECTION 578. 20.915 (4) of the statutes is repealed.

SECTION 578m. 20.916 (2) of the statutes is amended to read:

20.916 (2) REIMBURSEMENT OF JOB APPLICANTS. Subject to rules of the ~~administrator of the division of personnel~~ secretary of the department of employment relations, reimbursement may be made to applicants for all or part of actual and necessary travel expenses incurred in connection with oral examination and employment interviews.

SECTION 579. 20.916 (4) (e) of the statutes is amended to read:

20.916 (4) (e) When an assigned or pool state-owned automobile is available and tendered to an employe, and ~~an~~ the employe exercises the option to utilize ~~his~~ the employe's personal automobile on state business, the mileage allowance shall be at a rate equal to ~~the approximate cost of operation of state cars, including depreciation~~ 75% of the rate established under par. (a).

SECTION 580. 20.916 (8) of the statutes is amended to read:

20.916 (8) (title) UNIFORM TRAVEL SCHEDULE AMOUNTS; ALLOWANCES. (a) The secretary of employment relations shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employes whose compensation is established under s. 20.923 or 230.12. Such amounts shall include ~~recommended average amounts and~~ maximum permitted amounts for meal and lodging costs and portage tips, except as authorized under s. 16.535 (7) (b). The secretary shall also recommend to the committee the amount of the allowance for legislative expenses under s. 13.123 (1) (a) 1.

(b) The approval process for the uniform travel schedule amounts and allowances for legislative expenses under this subsection shall be the same as that provided under s. 230.12 (3) (b). The approved travel schedule amounts for the uniform travel schedule and legislative expense allowances shall be incorporated into the compensation plan under s. 230.12 (1).

SECTION 581. 20.917 (1) (intro.) of the statutes is renumbered 20.917 (1) (a) and amended to read:

20.917 (1) (a) Whenever ~~a person~~ an employe currently employed in a position in the civil service, other than on a limited term basis, is ordered to relocate or is promoted to a different position in the civil service and the new place of employment requires in the judgment of the new appointing authority at the new place of employment, or in the judgment of the appointing authority in an intra-agency relocation or promotion, a change in location of residence, the appointing authority shall authorize ~~such~~ the employe to be reimbursed for the actual and necessary expense ~~for the use of one owned automobile at the rate specified in s. 20.916 (4) or its equivalent if public transportation is used in~~ of transporting the employe and the immediate members of the employe's family to the new place of residence and for the preparation and transportation of the employe's household effects to the new place of residence. ~~The amount of reimbursement for moving household effects intrastate may not exceed the maximum amount established by the office of the commissioner of transportation for the weight of goods moved and the distance involved.~~

SECTION 582. 20.917 (1) (a) of the statutes is repealed.

SECTION 583. 20.917 (1) (b) and (d) of the statutes are amended to read:

20.917 (1) (b) ~~Such reimbursement~~ Reimbursement under this section for a person an employe who relocates, as a result of transfer or demotion made at his own ~~the employe's~~ request, ~~shall be~~ is at the discretion of the new appointing authority, or in an intra-agency transfer or demotion at the ~~person's~~ employe's request, at the discretion of the appointing authority of ~~such~~ the state agency by which the employe is employed.

(d) Reimbursement ~~shall~~ may not be granted if the distance between the old and new residences of the employe is less than ~~the~~ a minimum ~~amount~~ distance established by ~~the department of administration~~ for reimbursement of moving expenses in the compensation plan under s. 230.12 (1).

SECTION 584. 20.917 (1) (e) of the statutes is renumbered 20.917 (2) (a) and amended to read:

20.917 (2) (a) The ~~department~~ secretary of employment relations shall ~~establish~~ recommend a maximum dollar amount which may be permitted for reimbursement of any employe moving costs under this section, subject to the limitations prescribed in par. (b). This amount shall be submitted for the approval of the joint committee on employment relations in the manner provided in s. 20.916 (8), and upon approval shall become a part of the compensation plan under s. 230.12 (1).

SECTION 585. 20.917 (2) of the statutes is renumbered 20.917 (2) (b) and amended to read:

20.917 (2) (b) ~~No more than 2 such reimbursements under sub. (1) may be granted to any employe in a calendar year. Such reimbursement shall be approved and paid in the same manner as travel expenses. The amount of reimbursement for moving household effects interstate may not exceed the maximum amount as set forth in the rate tables of the major household goods tariff publishing bureaus, as determined by the office of the commissioner of transportation. The amount of reimbursement for moving household effects intrastate may not exceed the maximum amount established by the office of the commissioner of transportation for the weight of goods moved and the distance involved. In any instance, the amount of reimbursement for moving household effects shall may not exceed the amount required to move household effects with a weight of 10,000 pounds at the maximum rates for transporting household effects established by the office of the commissioner of transportation. The amount of reimbursement for the preparation of household effects incident to moving shall may not exceed \$300. The amount of reimbursement for transporting the employe and his or her immediate family to the new place of residence shall may not exceed the cost of automobile travel at the rate specified in determined under s. 20.916 (4).~~

SECTION 586. 20.917 (2) (c) of the statutes is created to read:

20.917 (2) (c) No more than 2 reimbursements under sub. (1) may be granted to any employe in a calendar year. Each reimbursement shall be approved and paid in the same manner as provided for the payment of travel expenses under s. 20.916.

SECTION 587. 20.920 (2) (a) of the statutes is amended to read:

20.920 (2) (a) From the contingent ~~fund~~ funds authorized by ss. 20.245 (1) (a), 20.255 ~~(2) (a) (1) (b)~~ 2, 20.435 (9) and 20.485 (1), institutional bills of less than \$100 may be paid, but no part of ~~the~~ any fund may be used for payment of salary or wages of an employe. The amount allotted to each institution shall be deposited in a separate account to be known as the "contingent fund" in a public depository to be designated by the respective departments. Payment of institutional bills of less than \$100 shall be made by check drawn by the superintendent against ~~such~~ the account, except as otherwise provided in this section, without the necessity of being first submitted to the department and to the department of administration for approval and audit. The superintendent shall file claim for reimbursement on a sworn voucher which shall be accompanied by the bills to be reimbursed. Bills paid by check need not be receipted by the payee, but the number of the check shall be placed on the bill. Bills may be paid by cash if approved by the superintendent and receipted by the payee. After approval of ~~such~~ the claim by the department and audit by the department of administration, the contingent fund shall be reimbursed the total amount lawfully paid therefrom. If the superintendent pays any bill which is subsequently disapproved either by the department or by the department of

administration as unlawful or unauthorized, the superintendent shall, within 10 days after notification by the department, personally reimburse the state for such unlawful or unauthorized payment. All moneys received in reimbursement for payments made from the contingent fund shall be deposited to the credit of the account and are added to the appropriation. Each respective department, with the approval of the department of administration, shall promulgate rules for carrying out this subsection. Each department shall require the superintendent of each institution to execute and file a surety bond in such sum as the joint committee on finance requires, guaranteeing the faithful discharge of the superintendent's duties and obligations under this section, the premium to be paid out of the proper appropriation for each department. Any check drawn against the contingent fund of an institution which is not paid within 2 years of the date of its drawing because of inability to locate the drawee or failure to submit the check for payment, after the bank has been requested to stop payment, shall be treated as a canceled check and added to the checking account balance. A check for the amount so added shall be drawn in favor of the state treasurer and deposited in the general fund as a nonappropriated receipt. If the person entitled to a check so canceled presents a satisfactory claim therefor to the department, the department shall direct the department of administration to draw a warrant in payment of ~~such~~ the claim and charge it to a sum sufficient appropriation for the repayment of canceled checks. In those institutions in which the financial and business affairs are under the jurisdiction of a financial or business officer, the contingent fund shall be under that officer's jurisdiction and all of the provisions under this paragraph applying to the superintendent shall apply to that officer.

SECTION 588. 20.920 (2) (am) of the statutes is created to read:

20.920 (2) (am) The department of health and social services may transfer money between contingent funds allotted from the appropriation under s. 20.435 (9) (a) without the prior approval of the joint committee on finance. The department of health and social services shall submit an annual report of all transfers under this paragraph to the joint committee on finance.

SECTION 589. 20.920 (2) (b) of the statutes is renumbered 20.929 and amended to read:

~~20.929 (title) Agency drafts or warrants. As an alternative to the use of a contingent fund, the~~ The secretary of administration may authorize any ~~department~~ state agency to issue drafts or warrants drawn on the state ~~treasurer~~ treasury. Such drafts or warrants may be issued only in connection with purchase orders authorized under subch. IV of ch. 16 and may not exceed \$300 per draft or warrant. The state treasurer shall pay such drafts or warrants as presented. The secretary of administration shall audit the purchase orders issued. Any purchase order that is disapproved by the secretary as unlawful or unauthorized shall be returned by the secretary to the ~~department~~ state agency for reimbursement to the state treasurer. The secretary shall make written regulations for the implementation of this ~~paragraph~~ section. The secretary may require any ~~department~~ state agency to utilize one or more separate bank accounts to implement this ~~paragraph~~ section. The illegal or unauthorized use of purchase orders and drafts or warrants under this ~~paragraph~~ section is subject to the remedies specified in s. 16.77.

SECTION 590. 20.923 (1) of the statutes is amended to read:

20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS. To this end, a compensation plan consisting of 10 executive salary groups is established in schedule one of the state compensation plan for the classified service from ranges 18 through 27. No salary range established above salary range 23 may be utilized in the establishment and compensation of positions in the classified service without specific approval of the joint committee on employment relations. The dollar value of the salary range minimum and maximum for each executive salary group shall be reviewed and established in the same manner as that provided for positions in the classified service under s. 230.12 (3), ~~except that adjust-~~

~~ments of salaries under sub. (2) shall in addition be prepared in bill form by the joint committee on employment relations and submitted to a vote of the full legislature and shall not take effect until the bill is enacted without change. If such bill is not enacted without change, no adjustment may take effect unless the joint committee on employment relations submits a subsequent bill and such bill is enacted without change. Such bill shall be put on the calendar and shall not be subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The salary-setting authority of individual boards, commissions, elective and appointive officials elsewhere provided by law is subject to and limited by this section, and the salary rate for these positions upon appointment and subsequent thereto shall be set by the appointing authority pursuant to this section, unless the position is subject to except as otherwise required by article IV, section 26 of the state constitution.~~

SECTION 591. 20.923 (2) (a) (intro.) of the statutes is renumbered 20.923 (2) (a) and amended to read:

20.923 (2) (a) ~~The annual salary for each of the following positions elected state official position shall be set at the midpoint dollar value for the point of the assigned salary range for its respective executive salary group specified in this subsection in effect at the time of taking the oath of office, except as provided in pars. par. (b) to (i) and shall become effective immediately for all incumbent constitutional and other elected state officials, subject to. No adjustment to the salary of an official enumerated in this subsection is effective until it is authorized under article IV, section 26 of the Wisconsin constitution and for any subsequently elected official who takes his or her oath following August 5, 1973, except that no adjustment is effective until it is ratified under sub. (1); and except that no such annual salary established in this subsection shall include the additional one percent increase provided for nonrepresented state employes in 1976-77 by chapter 224, laws of 1975, section 145f.~~

SECTION 592m. 20.923 (2) (a) 1, 5, 6, 7, 8, 9 and 12 of the statutes are repealed.

SECTION 592p. 20.923 (2) (a) 2, 4, 10 and 11 of the statutes are repealed.

SECTION 594. 20.923 (2) (b) of the statutes is amended to read:

20.923 (2) (b) ~~The annual salary of each state senator and representative elected to the assembly shall be set at 65% of the midpoint of the salary range for executive salary group 2 reviewed and established in the same manner as provided for positions in the classified service under s. 230.12 (3).~~

SECTION 595. 20.923 (2) (c) of the statutes is amended to read:

20.923 (2) (c) ~~For the term commencing in 1975 only, the annual salary for the governor shall be set at the maximum of executive salary group 8. For the term commencing in 1979, and thereafter, the~~ The annual salary for of the governor shall be set at the maximum midpoint of the salary range for executive salary group 10.

SECTION 596. 20.923 (2) (d) of the statutes is amended to read:

20.923 (2) (d) ~~The annual salary for of the chief justice of the supreme court shall be set at 15.78% above the maximum~~ minimum of the salary range for executive salary group 8.

SECTION 597. 20.923 (2) (e) of the statutes is amended to read:

20.923 (2) (e) ~~Notwithstanding par. (a) 1, for the term commencing in 1979, and thereafter, the~~ The annual salary for of the attorney general shall be set at the maximum 13.0% above the minimum of the salary range for executive salary group 7.

SECTION 598. 20.923 (2) (f) of the statutes is amended to read:

20.923 (2) (f) ~~Notwithstanding par. (a) 8, for the term commencing in 1977, and thereafter, the~~ The annual salary for of the state superintendent of public instruction shall be set at the maximum 13.0% above the minimum of the salary range for executive salary group 7.

SECTION 599. 20.923 (2) (g) of the statutes is created to read:

20.923 (2) (g) The annual salary of the lieutenant governor shall be set at 3.8% above the minimum of the salary range for executive salary group 4.

SECTION 600. 20.923 (2) (h) of the statutes is amended to read:

20.923 (2) (h) ~~Notwithstanding par. (a) 8, for the term commencing in 1979, and thereafter, the~~ The annual salary of the secretary of state shall be set at the maximum 22.0% above the minimum of the salary range for executive salary group 1.

SECTION 601. 20.923 (2) (i) of the statutes is amended to read:

20.923 (2) (i) ~~Notwithstanding par. (a) 11, for the term commencing in 1979, and thereafter, the~~ The annual salary of the state treasurer shall be set at the maximum 22.0% above the minimum of the salary range for executive salary group 1.

SECTION 602. 20.923 (2) (j) of the statutes is created to read:

20.923 (2) (j) The annual salary of each justice of the supreme court, other than the chief justice, shall be set at 2.42% above the minimum of the salary range for executive salary group 8.

SECTION 603. 20.923 (2) (k) of the statutes is created to read:

20.923 (2) (k) The annual salary of each court of appeals judge shall be set at 2.40% above the minimum of the salary range for executive salary group 7.

SECTION 604. 20.923 (2) (L) of the statutes is created to read:

20.923 (2) (L) The annual salary of each circuit judge shall be set at 6.86% above the minimum of the salary range for executive salary group 6.

SECTION 605. 20.923 (4) (intro.) of the statutes is amended to read:

20.923 (4) (title) STATE AGENCY POSITIONS. (intro.) ~~Department and State agency heads, the administrator of the division of personnel merit recruitment and selection in the department of employment relations, commission chairpersons and members and higher education administrative positions shall be identified and limited in number in accordance with the standardized nomenclature contained in this subsection, and shall be assigned to the executive salary groups listed in pars. (a) to (j). Except as provided in par. (d) 4m (c) 3m and sub. (12), all unclassified division administrator positions enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint committee on employment relations, by the administrator secretary of the division of personnel employment relations to one of the 10 executive salary groups listed in pars. (a) to (j). The joint committee on employment relations by majority vote of the full committee, may amend recommendations for initial position assignments and changes in assignments to the executive salary groups submitted by the administrator secretary of the division of personnel employment relations. Such All division administrator assignments and amendments to assignments of administrator positions approved by the committee shall become part of any existing the compensation plan previously approved by the joint committee under s. 230.12 (3) (b).~~ Whenever any individual is serving in a classified division administrator position and that position becomes a position in the unclassified service enumerated under s. 230.08 (2) (e), and that individual is at that time reappointed to the same position in the unclassified service, the appointing authority may continue payment of the previous level of salary to that individual for a period of not more than 6 months or until the joint committee on employment relations approves an assignment of the unclassified division administrator position to one of the 10 executive salary groups, whichever occurs first. Positions are assigned as follows:

SECTION 605m. 20.923 (4) (a) 6 of the statutes is created to read:

20.923 (4) (a) 6. Wisconsin conservation corps board: executive secretary.

SECTION 606. 20.923 (4) (b) 1 of the statutes is created to read:

20.923 (4) (b) 1. Criminal justice, council on: executive director.

SECTION 606c. 20.923 (4) (b) 2 of the statutes is created to read:

20.923 (4) (b) 2. Elections board: executive secretary.

SECTION 606g. 20.923 (4) (b) 2m of the statutes is amended to read:

20.923 (4) (b) 2m. Ethics board and judicial commission: ~~executive director administrator.~~

SECTION 606m. 20.923 (4) (c) 3m of the statutes is created to read:

20.923 (4) (c) 3m. Employment relations, department of; division of merit recruitment and selection: administrator.

SECTION 607. 20.923 (4) (d) 3m of the statutes is repealed.

SECTION 607m. 20.923 (4) (d) 4m of the statutes is repealed.

SECTION 607p. 20.923 (4) (d) 8m of the statutes is created to read:

20.923 (4) (d) 8m. Hospital rate-setting commission: staff director.

SECTION 607r. 20.923 (4) (e) 2m of the statutes is created to read:

20.923 (4) (e) 2m. Hospital rate-setting commission: chairperson and members.

SECTION 608. 20.923 (6) (a) of the statutes is repealed.

SECTION 609. 20.923 (6) (ah) of the statutes is created to read:

20.923 (6) (ah) Administration, department of; federal-state relations office: director and staff assistant.

SECTION 610. 20.923 (8) of the statutes is amended to read:

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 14.28 (2) (b) 2, 15.04 (2) and 551.51 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer, associate director of the historical society, and the deputy or vice chancellor of any university of Wisconsin campus who is clearly serving in a line capacity as a deputy responsible for assisting the chancellor in directing all campus programs shall be treated as unclassified deputies for pay purposes under this subsection.

SECTION 611. 20.923 (9) (a) of the statutes is renumbered 20.923 (9) and amended to read:

20.923 (9) Salaries for executive assistants appointed under ss. 14.28 (2) (b) 2, 15.05 (3), 15.06 (4m) and 25.16 (3) shall be set by the appointing authority. The salary may not exceed the maximum of the salary range 2 ranges below the salary range of the executive salary group to which the department or agency head is assigned. The position of administrative assistant to the lieutenant governor shall be treated as are executive assistants for pay purposes under this subsection.

SECTION 612. 20.923 (9) (b) of the statutes is repealed.

SECTION 612m. 20.923 (11) of the statutes is amended to read:

20.923 (11) OTHER HISTORICAL SOCIETY POSITIONS. Salaries for positions of assistant ~~director~~ directors, librarian of the historical society, state archivist and ~~director of research~~ state historian shall not exceed the maximum of the salary range for executive salary group 1.

SECTION 613. 20.923 (15) (b) of the statutes is amended to read:

20.923 (15) (b) ~~Effective the first Monday of January, 1979, and thereafter~~ Except for the positions of president of the university of Wisconsin system, chancellor of the university of Wisconsin-Madison and chancellor of the university of Wisconsin-Milwaukee,

the pay of any incumbent ~~of in~~ a position assigned to an executive salary group under this section ~~shall~~ may not equal or exceed that amount paid the governor. The pay of any incumbent in the position of president of the university of Wisconsin system, chancellor of the university of Wisconsin-Madison or chancellor of the university of Wisconsin-Milwaukee may not exceed the maximum dollar value of the salary range for the group to which the incumbent's position is assigned.

SECTION 614. 20.928 (1) of the statutes is amended to read:

20.928 (1) Each state agency head shall certify to the department of administration, at such time and in such manner as the secretary of administration prescribes, the sum of money needed by the state agency from the appropriations under s. 20.865 (1) (c), (ci), (cm), (d), (di), (i), (ic), (im), (j), (ii), (s), (si), (sm) ~~and~~, (t) and (ti). Upon receipt of the certifications together with such additional information as the secretary of administration prescribes, the secretary shall supplement, at such times and in such amounts as he or she determines, the respective appropriations. The secretary may not approve any supplement which includes an amount for the cost of any form of length of service payments to state employes.

SECTION 615. 21.01 (2) of the statutes is amended to read:

21.01 (2) The Wisconsin national guard shall be organized into army national guard and air national guard units, and ~~the term "National Guard" "national guard"~~ when used in this chapter, unless the context otherwise requires, includes both the Wisconsin army national guard and the Wisconsin air national guard.

SECTION 616. 21.015 of the statutes is created to read:

**21.015 Department duties.** The department of military affairs shall:

- (1) Administer the national guard.
- (2) Provide facilities for the national guard and any other support available from the appropriations under s. 20.465.

SECTION 617. 21.025 (1) of the statutes is amended to read:

21.025 (1) **AUTHORITY AND NAME.** If The adjutant general may establish a plan for organizing a military force to be known as the Wisconsin state guard. The adjutant general may organize the Wisconsin state guard under the plan if all or part of the Wisconsin national guard is called into the service of the United States the adjutant general may organize a force to be known as the Wisconsin state guard. It shall be distinct from the national guard, uniformed, and composed of officers, commissioned or assigned, and of enlisted personnel who volunteer for service. Membership in the Wisconsin state guard may not include any person who is in the active military forces, including the reserve components. Persons in the retired reserve may serve in the Wisconsin state guard.

SECTION 618. 21.025 (11m) of the statutes is amended to read:

21.025 (11m) **RETENTION OF ITEMS OF UNIFORM.** (a) Officers and enlistees of the "Wisconsin State Guard" who have served honorably therein for a period of at least one year and are active members of their respective units at the time of its demobilization shall, upon application to the unit commander, be permitted to retain the following items of the uniform: ~~Belt, web waist; cap, field cotton; cap, field woolen; coat, woolen serge; insignia, collar gilt disc, "cross rifle"; insignia, collar gilt disc, "WIS"; necktie, black; overcoat, short woolen O.D.; raincoat; shirt, cotton khaki; shirt, flannel O.D.; shoes, service; trousers, dress or skirt, cotton khaki; trousers, dress or skirt, woolen O.D~~ prescribed by the governor by rule.

(b) ~~The above uniform shall prescribed under par. (a)~~ may be worn only on occasions of ceremony. "Occasions of ceremony" means occasions essentially of a military character at which the uniform is more appropriate than civilian clothing, such as memorial

services, military weddings, military funerals, military balls, military parades, and meetings or functions of associations formed for military purposes, the membership of which is composed largely or entirely of honorably discharged veterans of the services.

SECTION 619. 21.07 (1) of the statutes is renumbered 21.07.

SECTION 620. 21.07 (2) and (3) of the statutes are repealed.

SECTION 621. 21.14 of the statutes is repealed.

SECTION 622. 21.145 of the statutes is repealed.

SECTION 623. 21.16 (1) of the statutes is amended to read:

21.16 (1) No person may wear the uniform of the Wisconsin national guard or of the U.S. army, air force, navy or marine corps, or a reserve component of the U.S. armed forces, except a person who is regularly enrolled in the U.S. army, air force, navy or marine corps, a reserve component of the U.S. armed forces, the national guard of one of the states or one of the student cadet companies armed and recognized by the national or a state government, a person retired from active service or a reserve component or a person who is an inmate of any veterans' or soldiers' home. Any person violating this subsection shall forfeit not less than \$10 nor more than \$100. The district attorney of the county in which any such offense is committed shall bring an action in the name of the state against the offender.

SECTION 624. 21.19 (1m) of the statutes is created to read:

21.19 (1m) The adjutant general shall administer, with the approval of the governor, state-federal cooperative funding agreements.

SECTION 625. 21.43 of the statutes is amended to read:

**21.43 Commissions and rank.** The governor shall issue commissions to all officers whose appointments are approved by him. Every commission shall be countersigned by the secretary of state and attested by the adjutant general and continue as provided by law. Each officer so commissioned shall take and file with the department of military affairs the oath of office prescribed by the constitution. All commissioned officers shall take rank according to the date assigned them by their commissions, and when 2 of the same grade rank from the same date, their rank shall be determined by length of service in the national guard creditable for pay, and if of equal service then by lot.

SECTION 626. 21.47 of the statutes is amended to read:

**21.47 Examinations for promotion or appointments.** The governor may order any subordinate officer or person nominated or recommended for promotion or appointment in the national guard to be examined by any competent officer or board of officers, designated in orders for that purpose, as to his qualifications for the office to which he may be recommended or appointed, and may take such action on the report of such examining officer or board of officers as he deems to be for the best interests of the service. The governor may also require the physical examination provided for admission to the United States army or air force.

SECTION 627. 21.61 (2) of the statutes is repealed.

SECTION 627m. 23.09 (27) of the statutes is repealed.

SECTION 628. 23.32 (2) (b) of the statutes is amended to read:

23.32 (2) (b) Mapping priorities, technical methods and standards to be used in delineating wetlands and a long-term schedule which will result in completion of the mapping effort at the earliest possible date, but not later than July 1, ~~1983~~ 1984, shall be developed by the department in cooperation with those other state agencies having mapping, aerial photography and comprehensive planning responsibilities.

SECTION 629. 23.41 to 23.47 of the statutes are repealed.

SECTION 629m. 23.48 of the statutes is created to read:

**23.48 Wisconsin conservation corps program.** (1) **DEFINITIONS.** Unless the context requires otherwise, as used in this section:

(a) "Board" means the Wisconsin conservation corps board.

(b) "Conservation activity" means an activity which has a long-term beneficial impact on the land and waters of this state and enhances, promotes or preserves wildlife, fisheries, forest, agricultural, recreational, historical, cultural and commercial resources. This term also includes but is not limited to energy conservation projects, reclamation of lands and disaster assistance.

(c) "Corps enrollee" means a person enrolled in the Wisconsin conservation corps program.

(d) "In-kind services and materials" includes services such as training, supervision, administration, transportation, insurance liability coverage and similar services and materials such as supplies, fuel, tools, equipment, safety equipment and other materials for a conservation project.

(e) "Local unit of government" means the governing body of any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or school district or the elected tribal governing body of a federally recognized American Indian tribe or band.

(f) "Nonprofit organization" has the meaning specified under s. 108.02 (26).

(g) "State agency" has the meaning specified for agency under s. 227.01 (1).

(2) **OBJECTIVES.** The board shall develop guidelines for the Wisconsin conservation corps program designed to promote the objectives of:

(a) *Employment of young adults.* Providing employment for young men and women in all regions of the state.

(b) *Conservation.* Conserving, developing, enhancing or maintaining the natural resources of this state through the implementation of conservation projects which have a long-term beneficial impact on the environment.

(c) *Personal development.* Encouraging and developing work skills, discipline, cooperation, meaningful work experiences and training and educational opportunities for corps enrollees.

(3) **PROGRAM RESPONSIBILITY AND COORDINATION.** The board is the policy-making body responsible for the Wisconsin conservation corps program and shall establish guidelines for this program. The board, in cooperation with the department, may delegate responsibility for administration, implementation of conservation projects, corps enrollee employment and supervision, project coordination and other details of the program to the executive secretary of the board or staff provided by the department.

(4) **STAFF AND EMPLOYES.** (a) *Executive secretary.* The board shall appoint an executive secretary outside the classified service to serve at its pleasure.

(b) *Staff.* The department shall provide staff within the classified service which is necessary to administer the Wisconsin conservation corps program, including staff to coordinate, supervise and implement conservation projects, to recruit and train corps enrollees and to provide administrative, typing and clerical services.

(5) **APPLICATION FOR CONSERVATION PROJECT APPROVAL.** (a) *Eligible sponsors.* The federal government, a state agency, local unit of government or nonprofit organization may apply to the board for approval of a conservation project.

(b) *Eligible projects.* In order to qualify as an approved conservation project, the project is required to provide employment opportunities and to be a conservation activity. If the sponsor is a nonprofit organization, the project is required to serve a valid public purpose in order to qualify as an approved conservation project.

(c) *Sponsor's application.* In order to qualify as an approved conservation project, the sponsor is required to submit in the application:

1. A summary of the extent and value of all in-kind services and materials it will provide for the project as well as any other costs associated with the project which it agrees to pay.

2. A preliminary cost estimate including a summary of all anticipated costs resulting from implementation of the project.

3. A preliminary work plan specifying the nature, scope and duration of the project.

(d) *Local government sponsors.* The board and department shall encourage local units of government to apply for the approval of conservation projects and shall provide assistance and information to facilitate these applications.

(e) *Not to involve labor dispute or displace other employes.* No project may be approved by the board if corps enrollees will be used in any manner in connection with a work or labor dispute, or if approval of the project would impair existing contracts or collective bargaining agreements with existing employes of the sponsor. No project may be approved by the board if corps enrollees will be used to displace existing permanent employes of the sponsor, including any employes who have been temporarily laid-off by the sponsor.

(6) **GUIDELINES FOR CONSERVATION PROJECT APPROVAL.** The board shall establish guidelines to be used in selecting conservation projects for approval. These guidelines shall include:

(a) *Employment opportunities.* The extent to which the project will provide employment in meaningful labor intensive work activities for corps enrollees.

(b) *Conservation.* The extent to which the project will promote the long-term beneficial conservation of resources.

(c) *Implementation.* The degree of difficulty in implementing the project and its compatibility with other projects in the area.

(d) *Extent of sponsor's responsibility.* The share of the total cost of the project, including the value of in-kind services and materials, to be paid or provided by the sponsor.

(e) *Public purpose and benefit.* The extent to which the project will serve a valid public purpose and benefit a large segment of the public.

(7) **CONSERVATION PROJECT FUNDING.** (a) *Conservation projects; appropriations.* Moneys appropriated under s. 20.370 (1) (jj), (jm) and (jq) may be utilized for conservation projects as authorized under those appropriations.

(b) *Other state agency appropriations.* A state agency may utilize moneys from any appropriation for that agency to sponsor a conservation project if implementation of the conservation project is consistent with any purpose for which the moneys are appropriated.

(8) **ADMINISTRATION; CONSERVATION PROJECT APPROVAL; WORK PLANS; IMPLEMENTATION; ENROLLEE SUPERVISION.** (a) *Guidelines for administration.* The board shall provide guidelines for administration of the Wisconsin conservation corps program.

(b) *Administration.* The department shall provide staff for and administer the Wisconsin conservation corps program according to guidelines provided by the board.

(c) *Administrative expenses; appropriations; reallocation.* Moneys appropriated under s. 20.370 (8) (jj), (jm) and (jq) may be utilized for the payment of administrative expenses related to the Wisconsin conservation corps program as authorized under those appropriations. If the board determines that these appropriations are not sufficient, it may request the joint committee on finance to take action under s. 13.101 (4) to transfer moneys from the appropriation under s. 20.370 (1) (jj), (jm) or (jq) to the appropriation under s. 20.370 (8) (jj), (jm) or (jq).

(d) *Approval.* Conservation projects shall be selected and approved by the board based on guidelines established under sub. (6) and subject to review under par. (h).

(e) *Complete project cost estimate.* Prior to approval of a conservation project, the department shall prepare and submit to the board a complete project cost estimate. This estimate shall include a summary of all anticipated costs resulting from the implementation of the project.

(f) *Detailed work plan.* Prior to approval of a conservation project, the department shall prepare and submit to the board a detailed work plan specifying the nature, scope and duration of the project; the number of corps enrollees; training, supervisory, administrative and other service requirements; supply, fuel, tool, equipment, safety equipment and other material requirements; time schedules; and other details relating to the implementation of the project.

(g) *Responsibility agreement.* Prior to approval of a conservation project, the department shall prepare and submit to the board a responsibility agreement which incorporates the complete project cost estimate and detailed work plan and specifies in detail the responsibilities of the sponsor and the board with respect to the project.

(h) *Natural resources board review.* The natural resources board may prohibit the encumbrance or expenditure of moneys from the conservation fund for a specific conservation project if the natural resources board disapproves of the proposed conservation project design.

(i) *Signing of responsibility agreement.* A conservation project is not authorized and may not be implemented until the sponsor and the board sign the responsibility agreement.

(j) *Implementation.* Except as provided in a responsibility agreement, the board is responsible for the implementation of an authorized conservation project. The board may delegate to a sponsor responsibility for implementing various aspects of a conservation project in the responsibility agreement.

(k) *Enrollee supervision.* The board is responsible for the overall supervision and control of corps enrollees. The board may delegate to a sponsor responsibility for enrollee recruitment, training and supervision and for administrative services to be provided for a conservation project in the responsibility agreement.

(L) *Project coordination.* The board is responsible for the coordination of work activities related to various conservation projects in the same area.

(9) **WORK CAMPS; TRAINING.** (a) *Work camps.* If necessary for the implementation of a conservation project, the board may establish or utilize residential facilities but the board may not use moneys appropriated under s. 20.370 (1) (jq) or (8) (jq) for the establishment of new residential facilities.

(b) *Education and training.* The board shall facilitate arrangements with local schools and institutions of higher education for academic study by corps enrollees during non-working hours to upgrade literacy skills, obtain equivalency diplomas or college degrees or enhance employable skills. The department shall encourage the development of training programs for corps enrollees for use during time periods when circumstances do not permit work on a conservation project.

(10) **CORPS ENROLLEES.** (a) *Authorization; classification.* The board may employ corps enrollees. The board shall classify these enrollees as corps members, assistant crew leaders or crew leaders.

(b) *Outside civil service.* All corps enrollees shall be employed outside the civil service.

(c) *Wages.* Corps members shall be paid at the prevailing federal minimum wage. Assistant crew leaders and crew leaders may be paid more than the prevailing federal minimum wage.

(d) *Unemployment compensation.* A corps enrollee is not eligible for unemployment compensation benefits by virtue of his or her employment in the Wisconsin conservation corps program. To the extent permitted by federal law, the Wisconsin conservation corps program shall be considered a work-relief and working-training program for the purpose of determining eligibility for benefits under s. 108.02 (5) (g) 1.

(e) *Worker's compensation.* A corps enrollee is eligible for worker's compensation benefits as provided under ch. 102.

(f) *Health care and other benefits.* A corps enrollee is not an eligible employee for health care benefits or other benefits under ch. 40.

(g) *Incentive payment or voucher.* A person who is employed as a corps enrollee for a one-year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of \$500 or an education voucher worth \$1,000. The board may authorize a partial incentive payment or education voucher to a person who is employed as a corps enrollee for less than a one-year period of continuous employment and who receives a satisfactory employment evaluation upon termination of employment if the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee. The education voucher is valid for 3 years after the date of issuance for the payment of tuition at any institution of higher education, as defined under s. 39.32 (1) (a), which accepts the voucher and the board shall authorize payment to the institution of face value of the voucher upon presentment.

(h) *Helmets; footwear; safety equipment.* The board shall provide each corps enrollee with a safety helmet displaying a Wisconsin conservation corps emblem. The board shall require each corps enrollee to have adequate protective footwear and may partially reimburse corps enrollees for the cost of obtaining this footwear. The board shall ensure that all other necessary safety equipment is provided for each corps enrollee working on a conservation project.

(11) QUALIFICATIONS AND REQUIREMENTS FOR CORPS ENROLLEES. (a) *Age.* In order to qualify for employment as a corps member, a person is required to be at least 18 but not more than 26 years of age at the time he or she accepts employment. In order to qualify for employment as an assistant crew leader or a crew leader, a person is required to be at least 18 years of age at the time he or she accepts employment.

(b) *Unemployed.* In order to qualify for employment as a corps member, a person is required to be unemployed at the time he or she applies for employment. In order to qualify for employment as an assistant crew leader, a person is required to be either unemployed at the time he or she applies for employment or is required to be employed as a corps member. In order to establish that a person is unemployed at the time of application for employment, the department may require the person to be certified as unemployed by a local job service office.

(c) *Enrollment period.* In order to qualify for employment as a corps enrollee, a person is required to sign a statement of intention to serve in the Wisconsin conservation corps program for a one-year period. This statement does not obligate the board to provide employment for the enrollee for that period.

(d) *Training and skills.* No training or skills are required in order to qualify for employment as a corps member. The board shall establish minimum levels of performance, training and skills required to qualify for employment as or promotion to assistant crew leader or crew leader.

(e) *Physical examination.* No physical examination is required in order to apply for employment as a corps enrollee but the board shall require a physical examination prior to employment. The board may accept evidence of a physical examination conducted

within one year prior to employment if the examining physician signs a form containing the information required by the department.

(12) SELECTION OF CORPS ENROLLEES. (a) *Standards.* The board shall establish standards for the selection of corps enrollees from among those persons who are qualified and seek employment.

(b) *Affirmative action plan.* The board shall adopt a statewide affirmative action plan and shall comply with the requirements under s. 230.06 (1) (g) to (k). The standards established under par. (a) shall be consistent with this plan.

(c) *Hiring procedure.* The board shall develop procedures for the hiring of corps enrollees in cooperation with the department of industry, labor and human relations. The board shall utilize any appropriate local job service office in the area of a conservation project to distribute applications, conduct interviews and evaluate applicants and make recommendations concerning the hiring of corps enrollees. The board may utilize project sponsors who are sponsoring long-term conservation projects to conduct interviews, evaluate applicants and make recommendations concerning the hiring of corps enrollees.

(13) ENROLLMENT PERIOD; EVALUATION; PROMOTION; DISCIPLINE. (a) *Enrollment period.* The normal enrollment period for a corps member who is not promoted to assistant crew leader is one year. The normal enrollment period for a corps member who is promoted to assistant crew leader or for a person who is hired as assistant crew leader is 2 years. The board may authorize the employment of a corps member or assistant crew leader beyond the normal enrollment period for a limited time, not to exceed 3 months, under special circumstances where continued employment is required in order to complete a conservation project in progress. The normal enrollment period for a crew leader is 2 years. The board may extend the employment of a crew leader beyond the normal enrollment period if the crew leader possesses special experience, training or skills valuable to the program.

(b) *Evaluation; promotion; discipline.* The board shall establish standards and procedures to evaluate the performance, to determine promotions, for discipline and for termination of employment of corps enrollees.

SECTION 629p. 24.085 (5) of the statutes is created to read:

24.085 (5) (a) In this subsection, "surplus land" means land under the jurisdiction of the department which is unused and not needed for department operations or included in the department's plan for construction or development.

(b) Biennially, beginning on January 1, 1984, the department shall submit to the state building commission and the joint committee on finance an inventory of surplus land containing the description, location and fair market value of each parcel.

SECTION 630. 24.57 of the statutes is amended to read:

**24.57 Report of board.** The board shall include, in ~~its~~ any report submitted under s. 15.07 (6) a report of its official proceedings for the period since the proceedings reported in the most recent report, showing the quantity of land sold or leased and the amount received therefor, the amount of interest moneys accrued or received and a specific account of the several investments made by them, stating in all cases of loans, the name of each borrower, the sum borrowed and a description of the property mortgaged. The report also shall include such other matters as it thinks proper to communicate or as the legislature requires.

SECTION 630e. 25.14 (1) of the statutes is amended to read:

25.14 (1) There is created a state investment fund under the jurisdiction and management of the investment board (hereinafter referred to as "board") to be operated as an investment trust for the purpose of managing the securities of all the state's funds consisting of the funds specified in s. 25.17 (1) except the state property insurance fund, state

life fund, fixed retirement investment trust, variable retirement investment trust, capital improvement fund, bond security and redemption fund, state building trust fund, the trust funds of the historical society, the state housing authority reserve fund, the children's trust fund, funds which by the constitution are required to be controlled and invested by the board of commissioners of public lands, funds which are required by specific provision of law to be controlled and invested by any other authority, the university trust funds and the trust funds of the state universities except that the respective authorities controlling the investment of any such excluded fund may authorize the transfer of any temporary cash assets of any such excluded fund to the state investment fund in accordance with subs. (2) and (3).

SECTION 630m. 25.15 of the statutes is created to read:

**25.15 Board; purpose and standard of responsibility.** (1) **PURPOSE.** The purpose of the board is to provide professional investment management of trusts, operating funds and capital funds established by law. It is the intent of the legislature that the board be an independent agency of the state which is to manage money and property for the state, its agencies and trust funds. The goal of board management shall be towards accomplishing the purpose of each trust or fund.

(2) **STANDARD OF RESPONSIBILITY.** The standard of responsibility applied to the board when it invests money or property shall be all of the following:

(a) To invest, sell, reinvest and collect income and rents with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a similar capacity, with the same resources, and familiar with like matters exercises in the conduct of an enterprise of a like character with like aims.

(b) To diversify investments in order to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, considering each trust's or fund's portfolio as a whole at any point in time.

(c) To administer assets of each trust or fund solely for the purpose of ensuring the fulfillment of the purpose of each trust or fund at a reasonable cost and not for any other purpose.

(3) **EXEMPTION.** Section 881.01 does not apply to investments by the board.

(4) **INVESTMENTS WITHIN STANDARD OF RESPONSIBILITY.** Investments in reverse annuity mortgages may not be presumed to violate the standard of responsibility under sub. (2).

SECTION 630s. 25.17 (1) (av) of the statutes is created to read:

25.17 (1) (av) Children's trust fund (s. 25.67);

SECTION 631. 25.17 (1) (em) of the statutes is repealed.

SECTION 632. 25.17 (1) (jv) of the statutes is repealed.

SECTION 632c. 25.17 (3) (b) 7 of the statutes is created to read:

25.17 (3) (b) 7. Certificates of deposit of at least \$100,000 issued by solvent financial institutions in this state. The board shall adopt rules to determine solvency on the basis of assets, capital, surplus, undivided profits and net worth of a financial institution.

SECTION 635. 25.18 (1) (a) and (f) of the statutes are amended to read:

25.18 (1) (a) Employ special legal or investment counsel in any matters arising out of the scope of its investment authority. The employment of special legal counsel shall be with the advice and consent of the attorney general whenever such special counsel is to be compensated by the board. Any expense of counsel so employed shall be borne by the current income account of the fund for which the services shall be furnished, except that the fixed retirement investment fund may bear this expense from its transaction amortization account.

(f) Maintain and repair any building or other structure or premises which it owns in fee or in which it owns the beneficial interest and, notwithstanding ~~the provisions of any other statutes~~ ch. 16, it shall have exclusive authority to make such agreements and enter into such contracts as it deems necessary for such purpose. All noncapital costs under this paragraph shall be charged to the current income accounts of the funds having an interest in the building, structure or premises.

SECTION 636. 25.18 (1) (m) of the statutes is created to read:

25.18 (1) (m) Notwithstanding ch. 16, employ professionals, contractors or other agents necessary to operate any property in which a fund managed by the board has an interest. Costs under this paragraph shall be paid by the fund and charged to the appropriate current income account under s. 40.04 (3).

SECTION 636m. 25.29 (1) (a) of the statutes is amended to read:

25.29 (1) (a) All moneys accruing to the state for or in behalf of the department under chs. ~~23, 26, 27, 28, 29~~ and 350, subch. I of ch. 77 and ss. 23.09 to 23.47, 23.50 to 23.99, 30.50 to 30.55 and 70.58, including grants received from the federal government or any of its agencies except as otherwise provided by law.

SECTION 637. 25.29 (7) (intro.) of the statutes is amended to read:

25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire prevention and control; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; ~~for the aerial photographic survey under s. 16.965;~~ for other forestry purposes authorized by law and for the payment of aid for forests as authorized in s. 28.11 and ch. 77.

SECTION 638. 25.40 (1) (a) of the statutes is amended to read:

25.40 (1) (a) All collections of the department of transportation or the office of the commissioner of transportation and all moneys transferred under s. 84.59 (3) except net sales taxes as determined in s. 77.61 (4) (b) or (c) and, other revenues specified in ch. 218 derived from the issuance of licenses under the authority of the commissioner of banking which shall be paid into the general fund and revenues collected under s. 341.25 that are pledged to the fund created under s. 84.59 (2).

SECTION 640m. 25.40 (2) of the statutes is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 ~~(4)~~ (2) (q) and (r), 20.285 (1) (x), 20.292 (1) (u), 20.370 (1) (mr), (2) (dq) and (4) ~~(at) and (bt)~~, 20.566 (1) (u) and 20.855 (4) (q) ~~and (r)~~ or authorized by s. 25.17 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 641. 25.45 of the statutes is amended to read:

**25.45 Waste management fund.** There is established a separate nonlapsible trust fund designated as the waste management fund, to consist of all tonnage fees imposed under s. 144.441 (3) ~~and~~, waste management base fees imposed under s. 144.441 (5) and all moneys received or recovered under s. 144.443 (11) (a) 1, 3 or 4. Moneys in the waste management fund shall be used for the purposes specified under s. 144.441 (6) (d) ~~to (f)~~, (e) and (g) to (i).

SECTION 642. 25.62 of the statutes is repealed.

SECTION 643. 25.63 of the statutes is repealed.

SECTION 643c. 25.67 of the statutes is created to read:

**25.67 Children's trust fund.** (1) The children's trust fund is created as a separate fund. Moneys in the fund shall be expended only for the purposes of s. 48.982 (4).

Partial  
Veto  
Overruled

(2) The fund shall consist of the moneys received under s. 48.982 (2) (d). All moneys in the fund not expended under s. 20.433 (1) (q) shall continue to accumulate indefinitely.

SECTION 643g. Chapter 26 (title) of the statutes is amended to read:

CHAPTER 26  
PROTECTION OF FOREST LANDS  
AND FOREST PRODUCTIVITY

SECTION 643m. 26.16 of the statutes is renumbered 26.98.

SECTION 643r. 26.35 of the statutes is created to read:

**26.35 Forest productivity.** The department shall identify types of privately owned forest lands which are most likely to provide high forest productivity benefits to the economy of the state. The department shall target its activities in providing assistance to owners of privately owned forest lands in order to concentrate on those types of forest lands identified as most likely to provide high forest productivity benefits to the economy of the state.

SECTION 644. 27.01 (2r) (title) of the statutes is repealed.

SECTION 645. 27.01 (2r) (a) 1 of the statutes is renumbered 27.01 (7) (a) 2 and amended to read:

27.01 (7) (a) 2. In this subsection "vehicle" means an automobile, motor truck, motor delivery wagon, motor bus, motorcycle or other similar motor vehicle ~~or trailer or semi-trailer used in connection therewith.~~

SECTION 646. 27.01 (2r) (a) 2 of the statutes is renumbered 27.01 (7) (a) 3.

SECTION 647. 27.01 (2r) (a) 3 of the statutes is renumbered 27.01 (7) (b) and amended to read:

27.01 (7) (b) (title) *Vehicle admission sticker; requirement.* Except as provided under par. ~~(b)~~ (c), no person may operate a vehicle in a vehicle admission area unless the vehicle has an annual vehicle admission sticker ~~or a daily admission sticker~~ affixed to it as provided under ~~this paragraph~~ par. (e).

SECTION 648. 27.01 (2r) (a) 4 of the statutes is renumbered 27.01 (7) (d) and amended to read:

27.01 (7) (d) (title) *Issuance of vehicle admission stickers.* ~~The~~ An annual ~~stickers~~ vehicle admission sticker shall be issued by the department and ~~are~~ is valid for the calendar year for which it is issued. ~~The~~ A daily vehicle admission sticker shall be issued by the department, shall state the date for which it is issued and ~~are~~ is effective only for the date issued.

SECTION 650. 27.01 (2r) (a) 5 of the statutes is renumbered 27.01 (7) (f) and amended to read:

27.01 (7) (f) (title) *Resident vehicle admission stickers; fees. 1.* The fee for ~~the~~ an annual vehicle admission sticker is ~~\$10~~ \$12 for each vehicle bearing which has Wisconsin registration plates ~~and \$15 for all other vehicles.~~

2. The fee for the daily vehicle admission sticker is ~~\$2~~ \$3 for vehicles bearing any vehicle which has Wisconsin registration plates ~~and \$3 for all other vehicles.~~

SECTION 651. 27.01 (2r) (a) 6 of the statutes is renumbered 27.01 (7) (e) and amended to read:

27.01 (7) (e) (title) *Affixing the vehicle admission sticker.* The annual vehicle admission sticker and the daily vehicle admission sticker shall be affixed by its own adhesive to the interior surface of the lower left-hand corner of the windshield of the vehicle.

SECTION 652. 27.01 (2r) (a) 7 of the statutes is renumbered 27.01 (7) (h) and amended to read:

27.01 (7) (h) (title) *Use of vehicle admission sticker fees.* All moneys collected from the sale of annual vehicle admission stickers and daily vehicle admission stickers shall be paid within one week into the state treasury, credited to the conservation fund and used for state parks, state recreation areas, recreation areas in state forests, and the Bong area lands.

SECTION 653. 27.01 (2r) (b) (intro.) of the statutes is renumbered 27.01 (7) (c) (intro.) and amended to read:

27.01 (7) (c) (title) *Vehicle admission sticker; exemptions.* (intro.) No vehicle admission sticker is required for:

SECTION 654. 27.01 (2r) (b) 1 to 4 of the statutes are renumbered 27.01 (7) (c) 1 to 4.

SECTION 655. 27.01 (2r) (b) 5 of the statutes is renumbered 27.01 (7) (c) 5.

SECTION 656. 27.01 (2r) (b) 6 of the statutes is renumbered 27.01 (7) (c) 6.

SECTION 657. 27.01 (2r) (c) of the statutes is renumbered 27.01 (9) and amended to read:

27.01 (9) (title) **WAIVER OF FEES; SPECIAL FEES.** The fees ~~provided in this subsection under subs. (7) and (8)~~ may be waived and admission fees in addition to or ~~in lieu thereof~~ instead of those fees may be charged or authorized by the department for admission to special scheduled events or programs.

SECTION 658. 27.01 (2r) (e) 1 of the statutes is renumbered 27.01 (8) (a) and amended to read:

27.01 (8) (a) (title) *Admission fee.* Except as provided under par. ~~(b)~~, the department may charge a person an admission fee to enter Heritage Hill state park or a state trail.

SECTION 659. 27.01 (2r) (e) 2 to 5 of the statutes are renumbered 27.01 (8) (c) to (f).

SECTION 660. 27.01 (2r) (f) (intro.), 1 and 2 of the statutes are renumbered 27.01 (8) (b) (intro.), 1 and 2.

SECTION 661. 27.01 (2v) of the statutes is renumbered 27.01 (11).

SECTION 662. 27.01 (3) of the statutes is renumbered 27.01 (12).

SECTION 663. 27.01 (5) of the statutes is renumbered 27.01 (14).

SECTION 664. 27.01 (6) of the statutes is renumbered 27.01 (5).

SECTION 665g. 27.01 (7) (intro.) and (a) to (o) of the statutes are renumbered 27.01 (6) (intro.) and (a) to (o).

SECTION 665r. 27.01 (7) (p) of the statutes is repealed.

SECTION 666. 27.01 (7) of the statutes is created to read:

27.01 (7) **VEHICLE ADMISSION; STICKER; REQUIREMENT; FEES.** (a) *Definitions.* 1. In this subsection "motor bus" has the meaning specified under s. 340.01 (31).

(g) *Nonresident vehicle admission stickers; fees.* 1. The fee for an annual vehicle admission sticker for any vehicle which has a registration plate or plates from another state is \$20.

2. The fee for a daily vehicle admission sticker for any vehicle which has a registration plate or plates from another state is \$5.

SECTION 666g. 27.01 (7) (c) 5 of the statutes, as affected by 1983 Wisconsin Act ... (this act), is amended to read:

27.01 (7) (c) 5. Any vehicle within state parks or state park areas designated by the department; ~~or~~

SECTION 666r. 27.01 (7) (c) 6 of the statutes, as affected by 1983 Wisconsin Act ... (this act), is amended to read:

27.01 (7) (c) 6. Any vehicle occupied by a person holding a senior citizen recreation card issued under s. 29.095; ~~or~~

SECTION 667. 27.01 (7) (c) 7 of the statutes is created to read:

27.01 (7) (c) 7. Any vehicle occupied by a person holding a conservation patron license issued under s. 29.1475.

SECTION 668. 27.01 (7) (f) 1 of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

27.01 (7) (f) 1. The fee for an annual vehicle admission sticker is \$12 for each vehicle which has Wisconsin registration plates except that no fee is charged for a sticker issued under s. 29.1475 (6).

SECTION 669. 27.01 (8) of the statutes is renumbered 27.01 (13).

SECTION 670. 27.01 (8) (title) of the statutes is created to read:

27.01 (8) (title) **ADMISSION FEES; HERITAGE HILL STATE PARK; STATE TRAILS.**

SECTION 671. 27.01 (8) (b) to (f) (titles) of the statutes are created to read:

27.01 (8) (b) (title) *Exemptions.*

(c) (title) *Amount of admission fee.*

(d) (title) *Collection; agents.*

(e) (title) *Operation of certain parks and trails.*

(f) (title) *Heritage Hill; special fees.*

SECTION 671g. 27.01 (8) (b) 1 of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

27.01 (8) (b) 1. Any person during the period from October 27 to March 31, except as the department provides by rule; ~~or~~

SECTION 671r. 27.01 (8) (b) 2 of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

27.01 (8) (b) 2. Any person holding a senior citizen recreation card issued under s. 29.095; ~~or~~

SECTION 672. 27.01 (8) (b) 3 of the statutes is created to read:

27.01 (8) (b) 3. Any person holding a conservation patron license issued under s. 29.1475.

SECTION 673. 27.01 (9) of the statutes is renumbered 27.01 (3).

SECTION 674. 27.01 (10) of the statutes is created to read:

27.01 (10) **CAMPGROUNDS; FEES.** (a) *Definition of resident.* As used in this subsection "resident" means a person who maintains his or her place of permanent abode in this state. Domiciliary intent is required to establish that a person is maintaining his or her place of permanent abode in this state. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes or obtains a driver's license.

(b) *Establishment, operation and categories of campgrounds.* The department may establish and operate state campgrounds in state parks, state forests and other lands under its supervision and management. The department may classify, by rule, state campgrounds into separate categories.

(c) *Imposition of camping fee.* Except as provided under par. (f), no person may camp in a state campground unless the applicable camping fee is paid.

(d) *Camping fees.* Except as provided under par. (f):

1. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is \$4, including sales tax, for a resident camping party.

2. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is \$7, including sales tax, for a nonresident camping party.

3. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is \$3.50, including sales tax, for a resident camping party.

4. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is \$5, including sales tax, for a nonresident camping party.

(e) *Determination of residency.* The department shall base its determination of whether a camping party is a resident or nonresident camping party upon the residency of the person who applies for a reservation under sub. (11) at the time the application for reservation is made or, if no reservation is made, the residency of the person who registers for the campsite at the time of registration.

(f) *Waiver of fees; special fees.* The department, by rule, may waive camping fees, may charge reduced camping fees, may charge additional camping fees or may charge special fees instead of camping fees for certain classes of persons, groups, certain areas, certain types of camping, certain times of the year and special events.

SECTION 674m. 28.11 (8) (b) 2 of the statutes is amended to read:

28.11 (8) (b) 2. ~~Out of From~~ the appropriation ~~made by under~~ s. 20.370 (4) (ar) the department may allot additional interest free forestry aid loans on a project basis to individual counties to permit the counties to undertake meritorious and economically productive forestry operations, including land acquisitions. These additional aids may not be used for the construction of recreational facilities or for fish and game management projects. Application shall be made in the manner and on forms prescribed by the department and specify the purpose for which the additional aids will be used. The department shall make an investigation as it deems necessary to satisfy itself that the project is feasible, desirable and consistent with the comprehensive plan. If the department so finds, it may make allotments in such amounts as it determines to be reasonable and proper and charge the allotments to the forestry fund account of the county. These allotments shall be credited by the county to the county forestry aid fund. Of the amount allocated from the appropriation under s. 20.370 (4) (ar) for loans under this subdivision for each fiscal year, at least 50% of that amount shall be reserved by the department until January 1 in order to determine the amount to be allocated for county forest aid payments under par. (a) and to determine the amount to be allocated for forest croplands payments under subch. I of ch. 77. After making these determinations the department shall make the remainder of the amounts in the schedule for the appropriation under s. 20.370 (4) (ar) for that fiscal year available for loans under this subdivision.

SECTION 675. 29.01 (1) (title) of the statutes is repealed.

SECTION 676. 29.01 (1) of the statutes is renumbered 29.01 (14).

SECTION 677. 29.01 (1) of the statutes is created to read:

29.01 (1) "Approval" means any type of approval or authorization issued by the department or a county clerk under this chapter including any license, permit, certificate, card, stamp or tag unless the context requires a different meaning.

SECTION 678. 29.01 (2) (title) and (3) (title), (a) (title) and (b) (title) of the statutes are repealed.

SECTION 679. 29.01 (3) (a) and (b) of the statutes are renumbered 29.01 (5) and (6).

SECTION 680. 29.01 (3) (c) (title) of the statutes is repealed.

SECTION 681. 29.01 (3) (c) of the statutes is renumbered 29.01 (4) and amended to read:

29.01 (4) ~~“Fur-bearing~~ “Fur-bearing animals” includes otter, beaver, mink, muskrat, marten, fisher, skunk, raccoon, fox, weasel, opossum, badger, wolf, coyote, wildcat and lynx.

SECTION 682. 29.01 (3) (d) (title) and (e) (title), (4) (intro.) and (5) to (7) (titles) of the statutes are repealed.

SECTION 683. 29.01 (3) (d) and (e), (4) (a) and (b) and (5) to (7) of the statutes are renumbered 29.01 (7), (10), (11), (9), (8), (3) and (13).

SECTION 684. 29.01 (8) (title) of the statutes is repealed.

SECTION 685. 29.01 (8) of the statutes is renumbered 29.01 (12) and amended to read:

29.01 (12) “Resident” means a person who has maintained his or her place of permanent abode in this state for a period of 30 days immediately preceding his or her application for ~~license an approval~~. Domiciliary intent is required to establish that a person is maintaining his or her place of permanent abode in this state. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes or obtains a driver’s license.

SECTION 686. 29.025 of the statutes is created to read:

**29.025 Hunting, trapping and fishing by American Indians.** American Indians hunting, trapping or fishing off Indian reservation lands are subject to this chapter.

SECTION 687. 29.04 of the statutes is renumbered 31.187.

SECTION 688. 29.09 (title) of the statutes is amended to read:

**29.09 (title) Hunting, trapping and fishing; licenses and other approvals; issuance.**

SECTION 689. 29.09 (1) of the statutes is amended to read:

29.09 (1) (title) LICENSE OR OTHER APPROVAL REQUIRED FOR HUNTING, TRAPPING OR FISHING. Except as ~~expressly specifically~~ provided otherwise by another section of this chapter, no person shall: ~~(a) may hunt any wild animal, or (b) trap any game, or (c) take, catch or kill fish or fish for fish in inland water~~ the waters of this state unless a license therefor has been duly the appropriate approval is issued to him which the person. A person shall be carried carry the required approval with him or her at all times while hunting, trapping or fishing as the case may be and which unless otherwise required by another section of this chapter or unless otherwise authorized or required by the department. A person shall be exhibited exhibit the approval to the department or its wardens on demand. Such licenses shall

(1m) (title) CONDITIONS AND RESTRICTIONS ON LICENSES AND OTHER APPROVALS. A hunting, trapping or fishing approval may be issued only to and obtained only by only a natural persons lawfully person entitled thereto, and in case of to the approval. Except as provided under sub. (12) (a), a resident hunting, trapping or fishing licenses, shall approval may be issued only to persons a person who present presents to the county clerk or issuing agent definite proof of his or her identity, and that he or she is a legal resident of this state. No more than one of the same series shall of approval may be issued to the same person in any year. No Except as provided under s. 29.33 (2) (d), no person shall may transfer his license or tag or her approval or permit the use thereof of any approval

by any other persons, nor shall any person and no person while hunting, trapping or fishing may use or carry any license, tag or badge, approval issued to another person. No person may obtain a hunting, fishing or trapping license, or tag shall be obtained by any person trapping or fishing approval for another person. No approval authorizing hunting license shall may be issued to any person under the age of 12 years. Any person between the ages of 12 and 16 years may hunt only when accompanied by a parent or guardian, or by a person over 18 years of age designated by the parent or guardian. Indians hunting, fishing or trapping off Indian reservation lands are subject to this chapter.

SECTION 690. 29.09 (2) of the statutes is amended to read:

29.09 (2) FORM OF APPLICATION. The application for such license shall bear the applicant's signature and shall state the residence and post office address of the applicant, a description of his person, that he has complied with all of the laws regulating the issuance and purchase of the license applied for, and such other facts, showing him to be entitled to the license for which he applies, as may be an approval shall be on the form and contain the information required by the department; and no license shall approval may be issued until the foregoing provisions have been complied with by the applicant complies with these requirements. Verified application shall be required for fur dealer's license and wholesale fish markets license.

SECTION 691. 29.09 (3) (a) of the statutes is amended to read:

29.09 (3) (a) *Date; expiration.* Each license or stamp shall state for what period the license or stamp is effective and the date of expiration. ~~Except as otherwise provided a license or stamp is effective only from September 1 until the following August 31, subject to the conditions, limitations and restrictions prescribed in this chapter. A resident hook and line fishing license is effective from the date of issuance to the following December 31.~~

SECTION 692. 29.09 (4) of the statutes is amended to read:

29.09 (4) DUPLICATES. ~~Whenever~~ If any license, permit, certificate or card is lost, the person to whom the license, permit, certificate or card was issued may apply to the department for a duplicate license, submitting an affidavit proving loss. The department shall make an inquiry and investigation as it deems necessary. ~~When~~ If the department is satisfied that the facts are as stated in the affidavit, the department may issue a duplicate license, permit, certificate or card to the applicant. The fees for duplicate licenses are as follows: for any license authorizing the hunting of deer \$5 or if the original cost of the license was less than \$5 an amount not to exceed the original cost of the license; for any other license \$1. Back tags and other tags issued with a license, permit, certificate or card are parts of the license, permit, certificate or card and loss of any part of a license is deemed to be loss of the entire license, permit, certificate or card. Upon applying for a duplicate license approval the applicant shall surrender all parts of the original license approval remaining in his or her possession to the department. No duplicate stamp may be issued and if a stamp is lost, the person to whom it was issued is required to apply and pay the regular fee in order to receive a new stamp.

SECTION 693. 29.09 (5) of the statutes is amended to read:

29.09 (5) (title) BLANKS. The department shall prepare, procure the printing of, and supply all necessary blanks for such licenses approvals issued under this chapter and related applications. The licenses shall Approval blanks and applications may be numbered consecutively, at the time of printing, in a separate series for each kind of license; and each approval. Each license blank shall be provided with a corresponding stub numbered with the serial number of the license. Each requisition for the printing of such license approval blanks shall specify the any serial numbers thereof to be printed on the blanks. The department or a county clerk may issue approvals only on blanks supplied by the department.

SECTION 694. 29.09 (6) of the statutes is amended to read:

29.09 (6) (title) APPROVALS ISSUED BY A COUNTY CLERK. ~~Of each license issued by a A~~ county clerk he shall retain the stub ~~for of each license under this chapter issued by the~~ county clerk's office in a record in ~~his the~~ clerk's office. ~~Such~~ The county clerk shall file ~~the stubs shall be filed in alphabetical numerical order by the county clerk~~ immediately after licenses are issued. A county clerk shall retain a portion of any other approval issued by the county clerk's office and keep a record of that issuance as the department requires. The department or its wardens may examine at any time ~~examine such~~ records required under this subsection.

SECTION 695. 29.09 (7) of the statutes is amended to read:

29.09 (7) RETURN OF FEES BY COUNTY CLERK. ~~The statutory license (a)~~ Any fees for approvals collected by the county clerk except any issuing fee shall be remitted to the department by the 20th of each month, with a report of the number of licenses issued by the clerk and his or her deputies during the preceding month with a report on the issuance of other approvals, as required by the department, and with a statement of the amount of money remitted. If the clerk does not remit, the clerk shall forfeit not more than \$100.

(b) All unused license approval blanks shall be returned by the county clerk to the department at the close of the year effective period for which the blanks were supplied. The department shall determine the disposition of license stubs and other portions of approvals by county clerks at the close of the year for which they the licenses and approvals are issued.

SECTION 696m. 29.09 (7m) of the statutes is amended to read:

29.09 (7m) (title) COUNTY CLERK ACCOUNTS. (a) ~~Each~~ Except as provided under par. (b), each county clerk, to whom all or part of the ~~compensation enumerated in sub. (10) issuing fee established under s. 29.092 (14)~~ is reserved as permitted under sub. (7) or (10) and in accordance with s. 59.15 (1), shall establish in a bank a checking account to be used exclusively for the deposit of collections from license sales and such other collections as hereinafter indicated of fees for approvals. ~~Such~~ These collections shall be deposited by the county clerk in the account within one week after receipt thereof. Payment to the department of the monthly remittance specified ~~in~~ under sub. (7) shall be made by check drawn against ~~such~~ this account. The account ~~shall be~~ is subject to ch. 34 and s. 66.042 (6). Other collections made by the county clerk and due the county ~~may~~ also ~~may~~ be deposited in this checking account. ~~When but if~~ the account includes other collections than ~~licenses~~ fees for approvals, the county clerk's record of the balance in the account ~~must is~~ is required to show separately the exact amounts of ~~license fees for approvals~~ and other collections.

~~(b) In case~~ If a county retains all ~~compensation allowed under sub. (10) for the issuance of conservation licenses and tags~~ issuing fees established under s. 29.092 (14) as permitted under sub. (7) or (10) and the county board requires the county clerk to deposit ~~license~~ collections of fees for approvals with the county treasurer, the county clerk shall deposit ~~such license~~ collections of fees for approvals with the county treasurer within one week after receipt thereof. Payment to the department of the monthly remittance specified ~~in~~ under sub. (7) shall then be made by the county treasurer upon written order of the county clerk. If the county board does not require ~~license~~ collections of fees for approvals to be deposited with the county treasurer, the county clerk shall make deposits and remittances of ~~such license~~ collections, pursuant to of fees for approvals as required under par. (a).

(c) The department shall prescribe a minimum standard for accounting records which shall be maintained by each county clerk for license approval transactions.

SECTION 697. 29.09 (8) of the statutes is amended to read:

29.09 (8) (title) RECORD OF APPROVALS ISSUED. ~~A The department shall keep a complete record of all licenses approvals issued shall be kept by the department, which shall also be. The department is~~ accountable for all unused license approval blanks.

SECTION 698. 29.09 (10) (a) to (c) of the statutes are amended to read:

29.09 (10) (a) *Collection of issuing fee.* A person authorized to issue any license or stamp prescribed by this chapter shall collect, in addition to the statutory license or stamp fee, an issuing fee ~~of 50 cents~~ for each license and ~~25 cents~~ for each stamp the person issued to compensate for services in issuing the license or stamp.

(b) *Department employes.* An issuing fee collected by any employe of the department shall be remitted to the department together with the statutory license or stamp fee.

(c) *Nonpublic issuing agents.* Deputies appointed by county clerks, other than county employes, are entitled to retain ~~15 cents~~ 60% of the ~~25 cent~~ issuing fee and ~~30 cents of the 50 cent issuing fee.~~ Deputies appointed by the department, other than state employes, are entitled to retain ~~15 cents~~ 60% of the ~~25 cent issuing fee and 30 cents of the 50 cent~~ issuing fee.

SECTION 699. 29.09 (10) (d) of the statutes is repealed.

SECTION 700. 29.09 (12) (a) of the statutes is amended to read:

29.09 (12) (a) (title) *Certain resident licenses may be issued to students and members of the armed forces.* Fishing licenses, Notwithstanding ss. 29.09 (1m) and 29.14 (1) (a), the department and the county clerk of each county shall issue a resident fishing license, resident small game hunting licenses and license or resident deer hunting licenses shall be issued at resident fees by the department and by the county clerks license to any a qualified student or to any qualified member of the armed forces of the United States applying therefor, who exhibits proof that he is in active service with such armed forces and that he is stationed in Wisconsin or that he for the license. A qualified student is a person who exhibits proof that he or she is a registered full-time undergraduate student in residence of at a public or private college or university, public or private, located in this state and offering a bachelor's degree or that he or she is a citizen of a foreign country temporarily residing in this state while attending a Wisconsin high school located in this state or an agricultural short course at the university of Wisconsin system. A qualified member of the armed forces is a person who exhibits proof that he or she is in active service with the U.S. armed forces and that he or she is stationed in this state.

SECTION 701. 29.09 (12) (b) of the statutes is amended to read:

29.09 (12) (b) (title) *Resident armed forces fishing license.* ~~Fishing licenses and small game hunting licenses~~ An annual fishing license shall be issued without charge by the department and by the or a county clerks clerk to any member of the U.S. armed forces of the United States applying therefor for this license who exhibits proof that he or she is in active service with such the armed forces and that he or she is a Wisconsin resident on furlough or leave.

SECTION 702. 29.09 (12) (c) of the statutes is created to read:

29.09 (12) (c) *Resident armed forces small game hunting license.* A small game hunting license shall be issued by the department or by a county clerk to any member of the U.S. armed forces applying for this license who exhibits proof that he or she is in active service with the armed forces and that he or she is a resident on furlough or leave.

SECTION 702m. 29.09 (13) of the statutes is created to read:

29.09 (13) STAMPS; ARTWORK. The department shall design and produce waterfowl hunting stamps, wild turkey hunting stamps, inland waters trout stamps and Great Lakes trout and salmon stamps. If the department selects artwork for stamps through a contest or otherwise acquires original artwork for stamps, the department shall require each contestant or individual artist to sign an agreement permitting the department to

use the artwork on stamps and granting the department the right to 50% of the revenue obtained from the sale of prints and other nonstamp copies of the artwork if the artwork is selected or acquired by the department. Revenue obtained by the department from the sale of prints and other nonstamp copies of this artwork shall be deposited in the conservation fund and credited to the fish and wildlife account.

SECTION 703. 29.092 of the statutes is created to read:

**29.092 Fish and wildlife fee schedule.** (1) IMPOSITION OF FEES. Unless another section of this chapter specifically provides otherwise, a person who applies for an approval issued under this chapter shall pay the fees specified under subs. (2) to (14).

(2) HUNTING LICENSES; STAMPS; CERTIFICATE; TAG. (a) *Resident small game.* The fee for a resident small game hunting license is \$7.

(b) *Resident armed forces small game.* There is no fee for a small game hunting license issued to a member of the U.S. armed forces under s. 29.09 (12) (c).

(c) *Resident deer.* The fee for a resident deer hunting license is \$11.50.

(d) *Resident bear.* The fee for a resident bear hunting license is \$11.50.

(e) *Resident archer.* The fee for a resident archer hunting license is \$11.50.

(f) *Nonresident annual small game.* The fee for a nonresident annual small game hunting license is \$60.

(g) *Nonresident 5-day small game.* The fee for a nonresident 5-day small game hunting license is \$30.

(h) *Nonresident deer.* The fee for a nonresident deer hunting license is \$85.

(i) *Nonresident bear.* The fee for a nonresident bear hunting license is \$100.

(j) *Nonresident fur-bearing animal.* The fee for a nonresident fur-bearing animal hunting license is \$125.

(k) *Nonresident archer.* The fee for a nonresident archer hunting license is \$65.

(L) *Wild turkey hunting stamp.* The fee for a wild turkey hunting stamp is \$11.50.

(m) *Waterfowl hunting stamp.* The fee for a waterfowl hunting stamp is \$3.

(n) *Certificate of accomplishment.* The fee for the hunter safety course provided s. 29.225 and any certificate of accomplishment which is issued as a result of that course is \$3.

(o) *Deer tag and back tag.* There is no fee for a deer tag or back tag issued with a resident deer hunting license, resident archer hunting license, nonresident deer hunting license, nonresident archer hunting license, sports license or conservation patron license.

(p) *Car kill deer tags.* There is no fee for a tag issued under s. 29.40 (5).

(3) FISHING LICENSES; STAMPS. (a) *Resident annual.* The fee for a resident annual fishing license is \$7.

(b) *Resident annual husband and wife.* The fee for a resident annual husband and wife fishing license is \$12.

(c) *Resident daily sports fishing.* The fee for a resident daily sports fishing license is \$5.50.

(d) *Resident armed forces.* There is no fee for an annual fishing license issued to a member of the U.S. armed forces under s. 29.09 (12) (b).

(e) *Resident senior citizen.* There is no fee for a permanent license issued to a resident senior citizen under s. 29.145 (1a).

(f) *Resident disabled person.* There is no fee for a fishing license issued to a resident disabled person under s. 29.145 (1c).

(g) *Fishing licenses for certain patients and institutionalized persons; related stamps.* Notwithstanding pars. (a) to (c) or (h) to (L), there is no fee for a fishing license issued under s. 29.145 (1b).

(h) *Nonresident annual.* The fee for a nonresident annual fishing license is \$18.

(i) *Nonresident annual family.* The fee for a nonresident annual family fishing license is \$32.

(j) *Nonresident 15-day.* The fee for a nonresident 15-day fishing license is \$11.

(k) *Nonresident 15-day family.* The fee for a nonresident 15-day family fishing license is \$18.

(L) *Nonresident 4-day.* The fee for a nonresident 4-day fishing license is \$8.50.

(m) *Nonresident daily sports fishing.* The fee for a nonresident daily sports fishing license is \$5.50.

(n) *Sturgeon spearing license.* The fee for a sturgeon spearing license is \$6.50.

(o) *Inland waters trout stamp.* The fee for an inland waters trout stamp is \$3.

(p) *Great Lakes trout and salmon stamp.* The fee for a Great Lakes trout and salmon stamp is \$3.

(4) COMBINATION LICENSES. (a) *Resident sports license.* The minimum fee for a resident sports license is \$25.50. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

(b) *Resident conservation patron license.* The fee for a resident conservation patron license is \$100 if that license is issued by the department from its central office. If a conservation patron license is not issued by the department from its central office, the fee for this license is \$99.50.

(5) GUIDE AND SPORT TROLLING LICENSES. (a) *Guide license.* The fee for a guide license is \$5.

(b) *Resident sport trolling license.* The fee for a resident sport trolling license is \$60.

(c) *Nonresident sport trolling license.* The fee for a nonresident sport trolling license is \$400.

(6) TRAPPING AND FUR DEALER LICENSES. (a) *Resident trapping.* The fee for a resident trapping license is \$12.

(b) *Resident fur dealer, Class A.* The fee for a resident fur dealer, Class A, license is \$25.

(c) *Resident fur dealer, Class B.* The fee for a resident fur dealer, Class B, license is \$10.

(d) *Fur dresser or dyer.* The fee for a fur dresser or dyer license is \$25.

(e) *Itinerant fur dealer.* The fee for an itinerant fur buyer license is \$200.

(f) *Fur auctioneer.* The fee for a fur auctioneer license is \$250.

(7) COMMERCIAL FISHING AND WHOLESALE FISH DEALER LICENSES; TAGS. (a) *Resident outlying waters, class A.* The fee for a class A commercial fishing license is \$60 if no boat is used or \$60 for each boat not exceeding 25 feet in overall length.

(b) *Resident outlying waters, class B.* The fee for a class B commercial fishing license for each boat exceeding 25 feet in overall length is \$200 plus \$5 for each foot in excess of 40 feet but in no case may the fee for any boat exceed \$300.

(c) *Resident outlying waters, class C.* The fee for a class C commercial fishing license is \$25 if no boat is used or \$25 per boat if boats are used.

**Vetoed in Part** (d) *Nonresident outlying waters, class D.* The fee for a class D commercial fishing license is \$1,500.

~~(e) *Nonresident outlying waters, class E.* The fee for a class E commercial fishing license is \$1,500 for each boat not exceeding 25 feet in overall length plus \$100 per foot of overall length.~~

~~(f) *Nonresident outlying waters, class F.* The fee for a class F commercial fishing license is \$4,000 for each boat exceeding 25 feet in overall length plus \$100 per foot of overall length but in no case may the fee for any boat exceed \$10,000.~~

(g) *Transfer of a commercial fishing license.* The fee for the transfer of a commercial fishing license is \$5.

(h) *Outlying waters, crew license.* There is no fee for a commercial fishing crew license.

(i) *Mississippi and St. Croix rivers net license.* The fees for a net license for the Mississippi and St. Croix rivers are:

1. For a seine net, \$20 for the first 500 lineal feet of the net, \$10 for the 2nd 500 lineal feet and \$2 for each additional 100 lineal feet.

2. For a gill net, \$10 for the first 2,000 lineal feet of the net and \$1 for each additional 100 lineal feet.

3. For bait nets, \$20 for the license.

4. For buffalo and frame nets, \$10 for the license.

(j) *Mississippi and St. Croix rivers net tags.* The fees for a net tag for seine, gill, bait, buffalo and frame nets in the Mississippi and St. Croix rivers are:

1. For seine, gill and bait nets, 25 cents for each tag.

2. For buffalo and frame nets, 50 cents for each tag.

(k) *Mississippi river slat net license.* The fee for a slat net license for the Mississippi river is \$20.

(L) *Mississippi river slat net tags.* The fee for each slat net tag for the Mississippi river is 50 cents.

(m) *Mississippi river trammel net license.* The fee for a trammel net license for the Mississippi river is \$20 for each net.

(n) *Mississippi river trammel net tag.* The fee for each trammel net tag for the Mississippi river is 50 cents.

(o) *Inland waters set or bank pole license.* The fee for a set or bank pole license for inland waters is \$2.25.

(p) *Inland waters set line license.* The fee for a set line license for inland waters is \$10.

(q) *Inland waters set line tag.* The fee for each set line tag for inland waters is 25 cents.

(r) *Wholesale fish dealer.* The fee for a wholesale fish dealer license is \$25.

(8) BAIT DEALER AND FISH HATCHERY LICENSES. (a) *Resident bait dealer, Class A.* The fee for a Class A bait dealer license is \$25.

(b) *Resident bait dealer, Class B.* The fee for a Class B bait dealer license is \$5.

(c) *Private fish hatchery, Class A.* The fee for a private fish hatchery, Class A license is \$50.

(d) *Private fish hatchery, Class B.* The fee for a private fish hatchery, Class B license is \$25.

(e) *Private fish hatchery, Class C.* The fee for a private fish hatchery, Class C license is \$5.

(f) *Private fish hatchery, Class D.* The fee for a private fish hatchery, Class D license is \$5.

Vetoed  
in Part

(9) BIRD AND GAME FARMS, RELATED ACTIVITIES AND WILDLIFE IN CAPTIVITY; LICENSES; TAG; PERMITS. (a) *Pheasant and quail farm license*. The fee for a pheasant and quail farm license is \$20.

(b) *Game bird and animal farm license*. The fee for a game bird and animal farm license is \$10.

(c) *Fur animal farm license*. The fee for a fur animal farm license is \$10.

(d) *Deer farm license*. The fee for a deer farm license is \$25.

(e) *Deer farm sales license*. The fee for a deer farm sales license is \$50.

(f) *Deer farm sales tag*. The fee for each deer farm sales tag is 5 cents.

(g) *Special retail deer sale permit*. The fee for a special retail deer sale permit is \$5 for each deer sold.

(h) *Venison serving permit*. The fee for a venison serving permit is \$5.

(i) *Bird and game farms; late fee*. The late fee for any license filed after the expiration date of a license issued under ss. 29.573 to 29.578 is \$10 in addition to the regular fee.

(j) *Wildlife exhibit license*. The fee for a wildlife exhibit license is \$10.

(10) SCIENTIFIC COLLECTOR PERMIT. There is no fee for a scientific collector permit.

(11) WILD RICE AND GINSENG; CARD AND LICENSES. (a) *Wild rice identification card*. There is no fee for a wild rice identification card.

(b) *Wild rice harvest license*. The fee for a wild rice harvest license is \$1.

(c) *Wild rice dealer, class A*. The fee for a class A wild rice dealer license is \$15.

(d) *Wild rice dealer, class B*. The fee for a class B wild rice dealer license is \$50.

(e) *Wild rice dealer, class C*. The fee for a class C wild rice dealer license is \$100.

(f) *Wild rice dealer, class D*. The fee for a class D wild rice dealer license is \$150.

(g) *Will ginseng harvest license*. The fee for a wild ginseng harvest license is \$5, except that there is no fee for a license issued to a person for cutting, rooting up, gathering or destroying wild ginseng only on the person's own land.

(h) *Wild ginseng dealer license*. The fee for a wild ginseng dealer license is \$100.

(12) SENIOR CITIZEN RECREATION CARD. The fee for a senior citizen recreation card is \$11.

(13) FEES FOR DUPLICATE APPROVALS. (a) *Duplicate deer hunting license*. The fee for a duplicate resident deer hunting license or a nonresident deer hunting license is \$6.

(b) *Duplicate archer hunting, sports or conservation patron license*. The fee for a duplicate resident archer hunting license, nonresident archer hunting license, sports license or conservation patron license is \$6 if the duplicate license includes any deer tags and \$2 if the duplicate license is issued after the open season for hunting deer and does not include any deer tags.

(c) *Duplicate hunting license; other*. The fee for a duplicate hunting license not specified under par. (a) or (b) is \$2.

(d) *Duplicate fishing license*. The fee for a duplicate fishing license is \$2.

(e) *Duplicate senior citizen recreation card*. The fee for a duplicate senior citizen recreation card is \$2.

(f) *Duplicate; other approval*. The fee for a duplicate license, permit, certificate or card not specified under pars. (a) to (e) is \$2 if there is a fee for the original approval or application.

(14) **ISSUING FEE.** (a) *Issuing fee generally.* In addition to the fees specified for licenses and stamps under subs. (2) to (9), (11) and (13), a person who applies for a license or stamp or for a duplicate license or stamp issued under this chapter shall pay an issuing fee.

(b) *License.* Except as provided under par. (c), the issuing fee for each license is 50 cents.

(c) *Conservation patron license.* There is no issuing fee for a conservation patron license issued by the department from its central office. If a conservation patron license is not issued by the department from its central office, the issuing fee for this license is 50 cents.

(d) *Stamp.* The issuing fee for each stamp is 25 cents.

(e) *No issuing fee for senior citizen recreation card.* There is no issuing fee for a senior citizen recreation card.

(f) *Addition of issuing fee to be shown with license or stamp fee as one amount.* The issuing fee shall be added to the fee provided in subs. (2) to (9), (11) and (13) and any amount shown on the printed license form or stamp shall be the total of the issuing fee and other fee.

SECTION 704. 29.093 of the statutes is created to read:

**29.093 Fish and wildlife; effective periods; restrictions.** (1) **SPECIFICATION OF EFFECTIVE PERIODS; RESTRICTIONS.** Unless an approval issued under this chapter is suspended or revoked or unless another section of this chapter specifically provides otherwise, the approval is valid for the period specified under subs. (2) to (14). In addition to any other restriction under this chapter, no license may be issued if that issuance is restricted under sub. (2) or (3).

(2) **HUNTING LICENSES; STAMPS; CERTIFICATE.** (a) *General effective period.* Except as provided under pars. (b) and (c), a hunting license is valid from September 1 or the date of issuance, whichever is later, until August 31 of the following year.

(b) *Archer hunting license; issuance after the beginning of the open season for hunting deer.* A resident archer hunting license or a nonresident archer hunting license issued during the open season for the hunting of deer with a bow and arrow is not valid until 3 days after it is issued, excluding the date of issuance.

(c) *Nonresident 5-day small game hunting license.* A nonresident 5-day small game hunting license is valid for the 5-day period specified on the license.

(d) *Wild turkey hunting stamp.* A wild turkey hunting stamp is valid from September 1 or the date of issuance, whichever is later, until August 31 of the following year.

(e) *Waterfowl hunting stamp.* A waterfowl hunting stamp is valid from September 1 or the date of issuance, whichever is later, until August 31 of the following year.

(f) *Certificate of accomplishment.* A certificate of accomplishment issued under s. 29.225 is valid for one year beginning on September 1 following the issuance of the certificate and ending on August 31 of the following year.

(g) *Restriction on the issuance of deer hunting licenses during the open season.* Except as provided under par. (i), no resident deer hunting license, nonresident deer hunting license, sports license or conservation patron license may be issued during the open season for the hunting of deer with firearms.

(h) *Restriction on the issuance of bear hunting licenses during the open season.* Except as provided under par. (i), no resident bear hunting license, nonresident bear hunting license, sports license or conservation patron license may be issued during the open season for the hunting of bear with firearms.

(i) *Exception.* A resident deer hunting license or resident bear hunting license may be issued before or after the opening of the season for hunting deer or bear with firearms to a person who is a member of the U.S. armed forces who exhibits proof that he or she is in active service with the armed forces and that he or she is stationed in this state or a resident of this state on furlough or leave.

(3) FISHING LICENSES; STAMPS. (a) *Generally.* Except as provided under pars. (b) to (f), a fishing license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(b) *Resident senior citizen fishing license.* A permanent fishing license issued to a senior citizen is valid from the date of issuance and shall remain valid as long as the licensee is a resident.

(c) *Resident disabled person fishing license.* A permanent fishing license issued to a disabled person is valid from the date of issuance and shall remain valid as long as the licensee is a resident and his or her handicap continues.

(d) *Nonresident 15-day and nonresident 15-day family fishing licenses.* A nonresident 15-day fishing license or a nonresident 15-day family fishing license is valid for the 15-day period specified on the license.

(e) *Nonresident 4-day fishing license.* A nonresident 4-day fishing license is valid for the 4-day period specified on the license.

(f) *Resident and nonresident daily sports fishing licenses.* A resident daily sports fishing license or a nonresident daily sports fishing license is valid only for the date specified on the license.

(g) *Fishing stamps.* An inland waters trout stamp or Great Lakes trout and salmon stamp is valid from January 1 or the date of issuance, whichever is later, until December 31.

(h) *Restrictions on issuance of sturgeon spearing licenses during the open season.* No sturgeon spearing license may be issued during the open season for the spearing of rock or lake sturgeon.

(4) COMBINATION LICENSES. A sports license or a conservation patron license is valid from September 1 or the date of issuance, whichever is later, until August 31 of the following year.

(5) GUIDE AND SPORT TROLLING LICENSES. A guide license or sport trolling license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(6) TRAPPING AND FUR DEALER LICENSES. (a) *Trapping license.* A trapping license is valid from September 1 or the date of issuance, whichever is later, until the following August 31.

(b) *Fur dealer and related licenses.* A resident fur dealer, Class A license; resident fur dealer, Class B license; fur dresser or dyer license; itinerant fur dealer license or fur auctioneer license is valid from September 1 or the date of issuance, whichever is later, until the following August 31.

(7) COMMERCIAL FISHING AND WHOLESALE FISH DEALER LICENSES. (a) *Outlying waters.* A class A, class B, class C, class E or class F commercial fishing license or a related crew license is valid from July 1 or the date of issuance, whichever is later, until the following June 30.

(b) *Mississippi and St. Croix rivers net license.* A net license for the Mississippi and St. Croix rivers authorizing the use of seine, gill, bait, buffalo or frame nets is valid from April 16 or the date of issuance, whichever is later, until the following April 15.

(c) *Mississippi river slat and trammel nets.* A slat net license or a trammel net license is valid from April 16 or the date of issuance, whichever is later, until the following April 15.

(d) *Inland waters set or bank pole or set line license.* A set or bank pole license or set line license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(e) *Wholesale fish dealer license.* A wholesale fish dealer license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(8) **BAIT DEALER AND FISH HATCHERY LICENSES.** (a) *Bait dealer.* A bait dealer, Class A license or a bait dealer, Class B license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(b) *Fish hatcheries.* A private fish hatchery, Class A, Class B, Class C or Class D license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(9) **BIRD AND GAME FARMS, RELATED ACTIVITIES AND WILDLIFE IN CAPTIVITY; LICENSES AND PERMITS.** (a) *Pheasant and quail farm license.* A pheasant and quail farm license is valid from July 1 or the date of issuance, whichever is later, until the following June 30.

(b) *Game bird and animal farm license.* A game bird and animal farm license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(c) *Fur animal farm license.* A fur animal farm license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(d) *Deer farm license.* A deer farm license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(e) *Deer farm sales license.* A deer farm sales license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(f) *Special retail deer sale permit.* A special retail deer sale permit is valid for the limited period specified on the permit.

(g) *Venison serving permit.* A venison serving permit is valid for a period not to exceed 30 days after the date of issuance.

(h) *Bird and game farms; late filing.* Notwithstanding pars. (a) to (e), the rights and privileges of a person issued a license under ss. 29.573 to 29.578 may be continued for 45 days as provided under s. 29.572 (3).

(i) *Wildlife exhibit license.* A wildlife exhibit license is valid from January 1 or the date of issuance, whichever is later, until December 31.

(10) **SCIENTIFIC COLLECTOR AND ENDANGERED SPECIES PERMITS.** (a) *Scientific collector permit.* A scientific collector permit is valid from January 1 or the date of issuance, whichever is later, until December 31.

(b) *Endangered species permit.* A permit issued under s. 29.415 (6) is valid for the period designated by the department.

(11) **WILD RICE AND GINSENG.** (a) *Wild rice licenses.* A wild rice harvest license or any class A, class B, class C or class D wild rice dealer license is valid from May 1 or the date of issuance, whichever is later, until the following April 30.

(b) *Wild ginseng harvest license.* A wild ginseng harvest license is valid from August 15 or the date of issuance, whichever is later, until November 1 of that same year.

(c) *Wild ginseng dealer license.* A wild ginseng dealer license is valid from July 1 or the date of issuance, whichever is later, until the following June 30.

(12) **SENIOR CITIZEN RECREATION CARD.** A senior citizen recreation card is valid from the date of issuance and shall remain valid as long as the person is a resident.

(13) **DUPLICATES.** A duplicate approval is valid from the date of issuance until the expiration of the original approval.

(14) **OTHER.** A license or stamp not mentioned under subs. (2) to (13) is valid from September 1 or the date of issuance, whichever is later, until the following August 31.

SECTION 705. 29.095 (1) of the statutes is amended to read:

29.095 (1) The department and the county clerk of each county shall issue a senior citizen recreation card to any resident 65 years of age or older who presents satisfactory proof of age and residence and upon payment of \$7.50. ~~The senior citizen recreation card shall be nonexpiring and shall be effective as long as the person is a resident of this state. The department shall prescribe the form of the recreation card.~~

SECTION 706. 29.095 (4) of the statutes is repealed.

SECTION 707. 29.10 of the statutes is amended to read:

**29.10 (title) Resident small game hunting license.** A resident small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk, ~~on a blank supplied by the department,~~ to any resident applying for this license. ~~The fee for this license is \$6.~~ The resident small game hunting license does not authorize the hunting of bear or deer.

SECTION 708. 29.102 (1) and (2) of the statutes are amended to read:

29.102 (1) (title) REQUIREMENT; ISSUANCE; EXCEPTIONS. (a) (title) *Requirement.* Except as ~~otherwise provided under par. (c),~~ no person may hunt waterfowl unless he or she has is issued a conservation patron license or unless he or she is issued a waterfowl hunting stamp which is affixed by the stamp's adhesive to the person's hunting license permitting which authorizes the hunting of small game or to the person's sports license.

(b) (title) *Issuance.* The waterfowl hunting stamp shall be issued by the department and its agents and by county clerks. ~~The fee for the waterfowl hunting stamp shall be \$3 subject to s. 29.09. The waterfowl hunting stamp shall be designed and produced by the department and shall expire annually on the same date each year that all hunting licenses expire. Any person who is exempt from payment or charge for a small game hunting license is also exempt from the fee under this subsection as provided under s. 29.09 (13).~~

(c) (title) *Exemptions.* Any person who is under 16 years of age is exempt from the requirements of this subsection. Any person who is exempt from the requirement to have a hunting license or who is not required to pay a fee for a hunting license is exempt from the requirements of par. (a).

(2) (title) USE OF MONEY FROM FEES. (a) (title) *Habitat.* The department shall expend ~~\$2 67%~~ \$2 67% of the ~~\$3 fee~~ money received from ~~the sale of a fees for waterfowl stamp hunting stamps~~ fees for waterfowl stamp hunting stamps for developing, managing, preserving, restoring and maintaining wetland habitat and for producing waterfowl and ecologically related species of wildlife.

(b) (title) *Propagation.* The department shall expend ~~\$1 of the \$3 fee~~ \$1 of the \$3 fee ~~33% of the money received from the sale of a fees for waterfowl stamp hunting stamps~~ 33% of the money received from the sale of a fees for waterfowl stamp hunting stamps for the development of waterfowl propagation areas within Canada which will provide waterfowl for this state and the Mississippi flyway. Money for the development of waterfowl propagation areas shall be provided only to nonprofit organizations. Before providing any money the department shall obtain evidence that the proposed waterfowl propagation project is acceptable to the appropriate provincial and federal governmental agencies of Canada.

SECTION 709. 29.102 (3) of the statutes is repealed.

SECTION 710. 29.103 (2) and (3) of the statutes are renumbered 29.103 (3) and (4).

SECTION 711m. 29.103 (2) of the statutes is created to read:

29.103 (2) WILD TURKEY HUNTING STAMP. (a) *Requirement.* Except as provided under par. (d), no person may hunt wild turkey unless he or she has a valid wild turkey hunting stamp affixed by the stamp's adhesive to the person's hunting license which authorizes the hunting of small game, to the person's sports license or to the person's conservation patron license.

(b) *Issuance.* The wild turkey hunting stamp shall be issued by the department or a county clerk subject to s. 29.09. The department shall design and produce wild turkey hunting stamps as provided under s. 29.09 (13).

(c) *Tags.* The department may provide tags to be issued with a wild turkey hunting stamp.

(d) *Authorization.* A wild turkey hunting stamp authorizes the hunting of wild turkey in open zones during the open season but only if any turkey hunting permit required by the department is also issued to the person with the wild turkey hunting stamp.

(e) *Exemptions.* Any person who is exempt from the requirement to have a hunting license or who is not required to pay a fee for a hunting license is exempt from the requirements of par. (a).

~~(f) Use of fees. The department shall expend receipts from the sale of wild turkey hunting stamps on general program costs associated with wild turkey management activities.~~ **Vetoed in Part**

SECTION 712. 29.104 (title) and (1) of the statutes are amended to read:

**29.104 (title) Resident archer hunting license.** (1) A resident archer hunting license shall be issued subject to s. 29.09 by the department or by a county clerk, ~~on a blank furnished by the department,~~ to any resident applying for this license. ~~The fee for this license is \$9.~~

SECTION 713. 29.104 (2) of the statutes is renumbered 29.104 (3) and amended to read:

29.104 (3) ~~Such~~ The department or county clerk shall issue to each person who is issued a resident archer hunting license shall be accompanied by a deer tag and a back tag in the form and numbered to correspond with the license number and to be supplied without additional fee as required by the department.

SECTION 714. 29.104 (3) of the statutes is renumbered 29.104 (2) and amended to read:

29.104 (2) ~~Such licenses authorize~~ A resident archer hunting license authorizes the hunting of all game with bow and arrow only, during the open seasons for hunting such that game with bow and arrow established by the department. This license authorizes hunting with a bow and arrow only, unless hunting with a crossbow is authorized under sub. (4).

SECTION 715. 29.104 (5) of the statutes is repealed.

SECTION 716. 29.105 (title) and (1) of the statutes are amended to read:

**29.105 (title) Resident deer hunting license.** (1) (title) **ISSUANCE.** A resident deer hunting license shall be issued subject to s. 29.09 by the department or by a county clerk, ~~on a blank furnished by the department,~~ to any resident applying for this license. ~~The fee for this license is \$10.50.~~

(2) (title) **AUTHORIZATION.** (a) (title) *With firearms only.* A resident deer hunting license authorizes the hunting of deer with firearms only.

SECTION 717. 29.105 (2) of the statutes is renumbered 29.105 (3) and amended to read:

29.105 (3) (title) **DEER TAG AND BACK TAG.** ~~Such~~ The department or county clerk shall issue to each person who is issued a resident deer hunting license shall be accompanied by a deer tag and a back tag in the form and numbered to correspond with the license number and to be supplied without additional fee as required by the department.

SECTION 718. 29.105 (3) of the statutes is renumbered 29.105 (2) (b) and amended to read:

29.105 (2) (b) (title) *Bear hunting*. ~~Duly issued~~ A resident deer hunting licenses shall license also include authorizes the hunting of bear during the periods when the open seasons for hunting deer and bear with firearms are concurrent.

SECTION 719. 29.105 (5) of the statutes is repealed.

SECTION 720. 29.109 (1) of the statutes is renumbered 29.109 and amended to read:

**29.109 (title) Resident bear hunting license.** A resident bear hunting license shall be issued subject to s. 29.09 by the department or by a county clerk, ~~on a blank furnished by the department,~~ to any resident applying for this license. ~~The fee for this license is \$10.50.~~ A resident bear hunting license authorizes the hunting of bear with firearms only. ~~Except as provided in sub. (2), a resident bear license may not be issued on or after the opening date of the bear season.~~

SECTION 721. 29.109 (2) of the statutes is repealed.

SECTION 722. 29.11 of the statutes is created to read:

**29.11 Nonresident annual small game hunting license.** A nonresident annual small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license. The nonresident annual small game hunting license authorizes the hunting of small game during the appropriate open season but does not authorize the hunting of deer, bear or fur-bearing animals.

SECTION 723. 29.112 of the statutes is created to read:

**29.112 Nonresident 5-day small game hunting license.** A nonresident 5-day small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license. The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued but does not authorize the hunting of deer, bear or fur-bearing animals.

SECTION 724. 29.113 of the statutes is created to read:

**29.113 Nonresident deer hunting license.** (1) **ISSUANCE.** A nonresident deer hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license.

(2) **AUTHORIZATION.** A nonresident deer hunting license authorizes the hunting of deer with firearms only.

(3) **DEER TAG AND BACK TAG.** The department or county clerk shall issue to each person who is issued a nonresident deer hunting license a deer tag and a back tag in the form and numbered as required by the department.

SECTION 725. 29.114 of the statutes is created to read:

**29.114 Nonresident bear hunting license.** A nonresident bear hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license. A nonresident bear hunting license authorizes the hunting of bear with firearms only.

SECTION 726. 29.116 of the statutes is created to read:

**29.116 Nonresident fur-bearing animal hunting license.** A nonresident fur-bearing animal hunting license shall be issued subject to s. 29.09 by the department or a county clerk to any nonresident applying for this license. The nonresident fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox, weasel, opossum, coyote and wildcat during the appropriate open season but does not authorize the hunting of other fur-bearing animals, other small game, deer or bear.

SECTION 727. 29.117 of the statutes is created to read:

**29.117 Nonresident archer hunting license.** (1) **ISSUANCE.** A nonresident archer hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license.

(2) **AUTHORIZATION.** The nonresident archer hunting license authorizes the hunting of all game except fur-bearing animals during the open season for the hunting of that game with a bow and arrow. This license authorizes hunting with a bow and arrow only and does not authorize hunting with a crossbow.

(3) **DEER TAG AND BACK TAG.** The department or county clerk shall issue to each person who is issued a nonresident archer hunting license a deer tag and a back tag in the form and numbered as required by the department.

SECTION 728. 29.12 of the statutes is repealed.

SECTION 729. 29.13 (1) of the statutes is amended to read:

29.13 (1) (a) (title) *Issuance.* A trapping license, ~~authorizing the use of traps for trapping fur-bearing animals,~~ shall be issued subject to s. 29.09 by the department or by a county clerk ~~on a blank supplied by the department~~ to any resident applying for this license. ~~The fee for this license is \$6.~~

(b) (title) *Authorization.* A trapping license authorizes the use of traps for trapping fur-bearing animals.

(c) (title) *Individual licenses required.* If a trapper employs any person in trapping, a license is required for each person employed.

(d) (title) *Tags.* Each trap used under a trapping license shall be tagged with a metal tag stamped with the name and address of the owner. All untagged traps shall be seized and confiscated, and the owner or person using or attending the untagged traps shall be punished as provided ~~in~~ under s. 29.99 (4) and (12).

SECTION 730. 29.134 (1) (a), (b), (c), (d), (f), (g) and (h) of the statutes are renumbered 29.134 (1) (e), (a), (f), (g), (c), (d) and (b).

SECTION 731. 29.134 (4) of the statutes is repealed.

SECTION 732. 29.134 (6) of the statutes is amended to read:

29.134 (6) Each resident fur dealer, Class A; resident fur dealer, Class B; fur dresser or dyer; itinerant fur dealer or fur auctioneer license shall bear upon its face the date of issuance, and all licenses shall expire on September 30 following such date. Every such. The license shall be shown to the department or its wardens upon request.

SECTION 733. 29.135 (title) of the statutes is amended to read:

**29.135 (title) Wholesale fish dealer license.**

SECTION 734. 29.135 (1) (a), (b), (c), (d) and (e) of the statutes are renumbered 29.135 (1) (b), (d), (a), (e) and (c).

SECTION 735. 29.135 (3) of the statutes is amended to read:

29.135 (3) ~~Wholesale~~ A wholesale fish dealers' license dealer license shall be issued by the department to ~~persons~~ any person duly applying therefor. ~~Every wholesale fish dealer shall pay a license fee of \$25 for each calendar year. Every license shall expire on December 31 for this license.~~

SECTION 736. 29.137 (title) and (1) of the statutes are amended to read:

**29.137 (title) Bait dealer license.** (1) ~~Bait dealers' licenses~~ A bait dealer license may be issued by the department to any resident of this state duly applying ~~therefor~~ for this license who, in its judgment, has complied with the rules prescribed by it, governing the taking, handling and storing of bait, specifications of equipment, and the filing of reports.

SECTION 737. 29.137 (4) of the statutes is repealed.

SECTION 738. 29.14 (title) of the statutes is amended to read:

**29.14 (title) Nonresident fishing licenses.**

SECTION 739. 29.14 (1) of the statutes is repealed and recreated to read:

29.14 (1) FISHING LICENSE REQUIREMENT; EXCEPTIONS. (a) *Requirement.* Except as provided under pars. (b) and (c), except for persons with resident licenses under s. 29.09 (12) (a) and except as otherwise specifically provided by another section of this chapter, no nonresident may fish in the waters of this state unless a valid nonresident fishing license is issued to the person subject to s. 29.09 by the department or by a county clerk.

(b) *Exception; nonresidents under 16 years of age.* No fishing license is required for a nonresident under the age of 16 years to fish with a hook and line or a rod and reel for fish of any variety, subject to all other conditions, limitations and restrictions prescribed in this chapter.

(c) *Exception; nonresident obtaining bait.* No separate or other fishing license is required for a nonresident who is issued a valid nonresident fishing license to take minnows for bait or smelt for food under the same conditions and rules governing residents but minnows or smelt taken by a nonresident may not be sold, traded or bartered in any manner.

SECTION 740. 29.14 (2) (a) of the statutes is repealed.

SECTION 741. 29.14 (2) (b) of the statutes is renumbered 29.14 (2) and amended to read:

29.14 (2) (title) NONRESIDENT ANNUAL FISHING LICENSE. The fee for an department or a county clerk shall issue a nonresident annual nonresident fishing license is \$16 and the license is effective from January 1 until the following December 31, subject to s. 29.09, to any nonresident who applies for this license.

SECTION 742m. 29.14 (2) (c) of the statutes is renumbered 29.14 (3) and amended to read:

29.14 (3) (title) NONRESIDENT 15-DAY LICENSE. A The department or a county clerk shall issue a nonresident 15-day nonresident fishing license may be issued to a nonresident. The fee for this license is \$11 and the license is effective for a period of 15 days, subject to s. 29.09, to any nonresident who applies for this license.

SECTION 743m. 29.14 (2) (d) of the statutes is renumbered 29.14 (4) and amended to read:

29.14 (4) (title) NONRESIDENT 4-DAY FISHING LICENSE. A The department or a county clerk shall issue a nonresident 4-day nonresident fishing license may be issued to a nonresident. The fee for this license is \$7 and the license is effective for a period of 4 days, subject to s. 29.09, to any nonresident who applies for this license.

SECTION 744m. 29.14 (2) (e) of the statutes is renumbered 29.14 (5) and amended to read:

29.14 (5) (title) NONRESIDENT ANNUAL FAMILY FISHING LICENSE. Aa The department or a county clerk shall issue a nonresident annual nonresident family fishing license may be issued to a nonresident entitling, subject to s. 29.09, to any nonresident who applies for this license. This license entitles the husband, wife and any minor children to fish under this license. The fee for this license is \$30 and the license is effective from January 1 until the following December 31.

SECTION 745m. 29.14 (2) (f) of the statutes is renumbered 29.14 (6) and amended to read:

29.14 (6) (title) NONRESIDENT 15-DAY FAMILY LICENSE. A The department or a county clerk shall issue a nonresident 15-day nonresident family fishing license may be issued to a nonresident entitling, subject to s. 29.09, to any nonresident who applies for this li-

license. This license entitles the husband, wife and any minor children to fish under this license. The fee for this license is \$18 and the license is effective for a period of 15 days.

SECTION 746n. 29.14 (2) (g) of the statutes is repealed.

SECTION 747. 29.14 (4) of the statutes is repealed.

SECTION 748n. 29.14 (7) of the statutes is created to read:

29.14 (7) NONRESIDENT DAILY SPORTS FISHING LICENSE. (a) *Issuance*. The department or a county clerk shall issue a nonresident daily sports fishing license, subject to s. 29.09, to any nonresident who applies for this license.

(b) *Authorization*. A nonresident daily sports fishing license authorizes fishing only in:

1. The outlying waters.
2. Any river or stream tributary of Lake Michigan or Green Bay, except the Kewaunee river, from its mouth upstream to the first dam or lake.
3. The Kewaunee river from its mouth upstream to the CTH "C" bridge in the south-east quarter of section 29, township 24 north, range 24 east.

(c) *Use of fees*. The department shall deposit receipts from the sale of nonresident daily sports fishing licenses in the conservation fund and shall expend 50% of these receipts to supplement and enhance the trout and salmon rearing and stocking program for outlying waters.

SECTION 749. 29.145 (title) of the statutes is amended to read:

**29.145 (title) Resident fishing licenses.**

SECTION 750. 29.145 (1) of the statutes is repealed and recreated to read:

29.145 (1) FISHING LICENSE REQUIREMENT; EXCEPTIONS. (a) *Requirement*. Except as provided under pars. (b) and (c) and except as specifically provided otherwise by another section of this chapter, no resident may fish in the waters of this state unless a valid resident fishing license is issued to the person subject to s. 29.09 by the department or by a county clerk or unless the person is issued a valid license, permit or card which authorizes fishing or entitles the holder to the rights and privileges of a fishing license.

(b) *Exception; residents under 16 or over 65 years of age and certain physically and mentally handicapped persons*. No fishing license is required for any resident under the age of 16 years or over the age of 65 years or any physically or mentally handicapped individual committed to the north, south or central centers for the developmentally disabled, during the period of the individual's commitment, to fish for fish subject to all other provisions of law.

(c) *Exception; residents using nets for nongame fish*. No fishing license is required for any resident to set, place or use any landing net, dip net, minnow seine or minnow dip net for fish other than game fish.

SECTION 751. 29.145 (1a) of the statutes is amended to read:

29.145 (1a) (title) PERMANENT FISHING LICENSE FOR SENIOR CITIZENS. The department ~~is directed upon application therefor to shall~~ issue a permanent fishing license ~~without fee or charge~~ to any resident over the age of 65 years ~~and such license shall not expire, but shall be effective so long as the licensee is a resident of this state.~~

SECTION 752. 29.145 (1b) of the statutes is amended to read:

29.145 (1b) (title) FISHING LICENSES FOR CERTAIN PATIENTS AND INSTITUTIONALIZED PERSONS. The department shall issue fishing licenses ~~without fee~~ to inmates of county hospitals, state or federal mental hospitals, state correctional institutions and to patients or inmates resident at nonprofit institutions sponsored by religious organizations and located in this state for rehabilitation purposes upon request of the superintendent of the institution.

SECTION 753. 29.145 (1c) (a) (intro.), 1 and 2 of the statutes are renumbered 29.145 (1c) (intro.), (a) and (b) and amended to read:

29.145 (1c) (title) PERMANENT FISHING LICENSE FOR DISABLED PERSONS. (intro.) The department shall ~~upon application therefor~~ issue a permanent fishing license ~~without fee or charge~~ to any resident who applies for this license and who:

(a) Produces a certificate from a licensed physician or optometrist stating that his or her sight is impaired to the degree that he or she cannot read ordinary newspaper print with or without corrective glasses; or

(b) Produces evidence indicating he ~~has been~~ or she was determined to be 75% disabled or more for purposes of social security, retirement or other disability benefits.

SECTION 754. 29.145 (1c) (b) of the statutes is repealed.

SECTION 755. 29.145 (2) of the statutes is amended to read:

29.145 (2) (title) RESIDENT ANNUAL FISHING LICENSE. A resident annual fishing license shall be issued subject to s. 29.09 by the department or by a county clerk to a resident of the state applying for this license. ~~The fee for this license is \$6.~~

SECTION 756n. 29.145 (3) of the statutes is repealed and recreated to read:

29.145 (3) RESIDENT DAILY SPORTS FISHING LICENSE. (a) *Issuance.* The department or a county clerk shall issue a resident daily sports fishing license, subject to s. 29.09, to any resident who applies for this license.

(b) *Authorization.* A resident daily sports fishing license authorizes fishing only in:

1. The outlying waters.
2. Any river or stream tributary of Lake Michigan or Green Bay, except the Kewaunee river, from its mouth upstream to the first dam or lake.
3. The Kewaunee river from its mouth upstream to the CTH "C" bridge in the south-east quarter of section 29, township 24 north, range 24 east.

(c) *Use of fees.* The department shall deposit receipts from the sale of resident daily sports fishing licenses in the conservation fund and shall expend 50% of these receipts to supplement and enhance the trout and salmon rearing and stocking program for outlying waters.

SECTION 758. 29.145 (4) (a) of the statutes is renumbered 29.149 (1).

SECTION 759m. 29.145 (4) (b) of the statutes is renumbered 29.149 (3) and amended to read:

29.149 (3) (title) ISSUANCE. The department or a county clerk shall issue a an inland waters trout stamp for a fee of \$2.25 subject to s. 29.09 to each person holding or applying for a fishing license under this section or s. 29.09 (12) (a), 29.14, 29.145 or 29.146 or a sports license under s. 29.147 if the person uses or intends to use the license for trout fishing in inland trout waters of the state. The trout stamp shall be designed and produced by the department, ~~shall be attached to the fishing license and shall be valid for the calendar year as provided under s. 29.09 (13).~~

(4) (title) EXEMPTION. Any person who is exempt from ~~payment or charge~~ the requirement to have a fishing license or who is not required to pay a fee for a fishing license is exempt from the requirements ~~of this paragraph~~ under sub. (2).

SECTION 760. 29.145 (4) (c) of the statutes is renumbered 29.149 (5) and amended to read:

29.149 (5) (title) USE OF MONEYS FROM FEES. The department shall expend the receipts from the sale of inland waters trout stamps on improving trout habitat in the inland trout waters of the state and administering this subsection.

SECTION 761. 29.145 (4) (d) of the statutes is repealed.

SECTION 762. 29.146 of the statutes is amended to read:

**29.146 Husband and wife fishing licenses.** A combined husband and wife resident fishing license shall be issued subject to s. 29.09 by the department or a county clerk to residents applying for this license. This license confers upon both husband and wife the privileges of resident fishing licenses issued under s. 29.145. ~~The fee for this license is \$10.~~

SECTION 763. 29.147 (title) and (1) of the statutes are amended to read:

**29.147 (title) Sports licenses; application.** (1) A sports license shall be issued subject to s. 29.09 by the department or by a county clerk to any resident who is over the age of 12 years, a U.S. citizen, and who applies for this license and pays the ~~prescribed fees.~~ ~~The minimum fee for this license is \$22, but any applicant, at the applicant's option, may pay an additional or greater fee for this license.~~

SECTION 764. 29.147 (2) of the statutes is repealed.

SECTION 765. 29.147 (3) (a) and (b) of the statutes are repealed.

SECTION 766. 29.147 (3) (c) of the statutes is renumbered 29.147 (2).

SECTION 767. 29.147 (4) of the statutes is renumbered 29.147 (3) and amended to read:

29.147 (3) ~~The department or its duly authorized agents issuing any such shall issue to each person who is issued a sports license shall furnish to the applicant a deer tag and back tag in the form and numbered as the department requires during years of open season for such animals hunting deer.~~

SECTION 768. 29.1475 of the statutes is created to read:

**29.1475 Conservation patron license.** (1) **ISSUANCE.** A conservation patron license shall be issued subject to s. 29.09 by the department to any resident 14 years old or older who applies for this license.

(2) **AUTHORIZATION; HUNTING, FISHING AND TRAPPING PRIVILEGES.** A conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, resident deer hunting license, resident bear hunting license, resident archer hunting license, a waterfowl hunting stamp, resident annual fishing license, sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping license.

(3) **AUTHORIZATION; ADMISSION TO STATE PARKS AND RELATED AREAS.** A conservation patron license permits any vehicle having a conservation patron license holder as an occupant to enter any vehicle admission area under s. 27.01 (7) without charge. The conservation patron license permits the license holder to enter Heritage Hill state park or a state trail and no admission fee may be charged for the person to gain entrance to those areas.

(4) **DEER TAG AND BACK TAG.** The department shall issue to each person who is issued a conservation patron license a deer tag and back tag in the form and numbered as the department requires.

(5) **SUBSCRIPTION.** At the time the department issues a conservation patron license, it shall provide the licensee with an annual subscription to the Wisconsin natural resources magazine without any additional fee or charge.

(6) **ADMISSION STICKER.** At the same time the department issues a conservation patron license, it may issue an annual resident vehicle admission sticker or a special sticker for admission to state parks and similar areas. Alternatively or in addition, the department may issue an annual resident vehicle admission sticker or a special sticker for admission to state parks and similar areas to a person who has a conservation patron license on location at the state park or similar area. A person who is issued a sticker under this subsection shall affix the sticker by its own adhesive to the interior surface of the lower left-hand corner of the windshield of the vehicle. A sticker issued under this section is

not considered part of a conservation patron license for the purpose of issuing a duplicate and no duplicate sticker shall be issued unless the license holder provides evidence that the vehicle upon which the sticker is affixed is no longer usable or that the vehicle was transferred to another person and the license holder presents the original sticker or remnants of it to the department.

SECTION 769. 29.148 (1) (intro.) of the statutes is amended to read:

29.148 (1) (intro.) A sturgeon spearing license shall be issued subject to s. 29.09 by the department or by a county clerk, ~~for a fee of \$5, on a blank furnished by the department,~~ to any person applying for this license who:

SECTION 770. 29.148 (3) of the statutes is amended to read:

29.148 (3) ~~Such A sturgeon spearing license applies to~~ authorizes the spearing of rock or lake sturgeon only during the open season for spearing ~~such these~~ sturgeon established by the department ~~and it is unlawful for a.~~ No person to may fish for sturgeon by means of a spear unless the person is issued a conservation patron license or unless the person is issued a sturgeon spearing license has first been issued to him as provided in this section. ~~Such.~~ The conservation patron license or the sturgeon spearing license shall be carried on the person of the licensee at all times while fishing for sturgeon by means of a spear.

SECTION 771. 29.148 (5) of the statutes is repealed.

SECTION 772. 29.149 (title), (1) (title) and (2) of the statutes are created to read:

**29.149 (title) Inland waters trout stamp. (1) (title) DEFINITION.**

(2) REQUIREMENT. Except as provided under sub. (4), no person may fish for trout in inland trout waters unless he or she is issued a conservation patron license or unless he or she is issued an inland waters trout stamp which is affixed by the stamp's adhesive to the person's fishing license or sports license.

SECTION 773m. 29.15 (2) of the statutes is amended to read:

29.15 (2) REQUIREMENT. No person may fish for trout or salmon in the outlying trout and salmon waters of the state unless the person ~~has a valid~~ is issued a resident or nonresident daily sports fishing license, unless the person is issued a conservation patron license or unless the person is issued a Great Lakes trout and salmon stamp which is affixed by the stamp's adhesive to the person's fishing license or sports license.

SECTION 774p. 29.15 (3) of the statutes is amended to read:

29.15 (3) (title) ISSUANCE. The Great Lakes trout and salmon stamp shall be issued subject to s. 29.09 by the department or a county clerk to any person holding or applying for a fishing license under s. 29.09 (12) (a), 29.14 (2) (a) ~~to (f)~~ to (6), 29.145 (1a) to (2), 29.146 or a sports license under s. 29.147. ~~The fee for this stamp is \$3. The department shall design and produce Great Lakes trout and salmon stamps. This stamp is valid for the calendar year indicated on its face as provided under s. 29.09 (13).~~

SECTION 775. 29.15 (6) of the statutes is repealed.

SECTION 776. 29.165 (1) of the statutes is amended to read:

29.165 (1) No person ~~shall~~ may engage, or be employed for any compensation or reward, to guide, direct or assist any other person in hunting, fishing or trapping unless a guide license ~~has been~~ is duly issued to ~~him~~ the person by the department subject to s. 29.09. No ~~such~~ guide license ~~shall~~ may be issued to or obtained by any person who is not a resident of this state. No guide license ~~shall~~ may be issued to any person under the age of 18 years. ~~The fee for such license shall be \$5 and all such licenses shall be effective from January 1 until the next succeeding December 31. The applicant shall deliver to the department an oath of office that he shall he or she will well and faithfully perform the duties and responsibilities of his office as a guide licensed by the department and observe and comply with all the requirements of this chapter and the rules of the department.~~

SECTION 777. 29.166 (1) of the statutes is amended to read:

29.166 (1) No person may be engaged or be employed for any compensation or reward, to guide any other person in sport trolling for trout or salmon in and upon the outlying waters of Lake Michigan, Green Bay or Lake Superior unless the person ~~has been~~ is duly issued a sport trolling license by the department subject to s. 29.09. No sport trolling license may be issued to any person under the age of 18 years. The application shall include the name and address of the applicant, the name of the home port from which the applicant will operate, the applicant's U.S. coast guard operator's license number and ~~such~~ other information as ~~may be~~ required by the department for statistical purposes. ~~The fee for each license shall be \$60 for residents of this state and \$400 for nonresidents. All sport trolling licenses shall be effective from January 1 until the next succeeding December 31.~~ The licensee and all persons on board the licensee's boat shall comply with all the requirements of this chapter and the rules of the department. Boats used by the licensee shall meet minimum U.S. coast guard and this state's boat licensing and safety requirements.

SECTION 777m. 29.166 (3) of the statutes is repealed.

SECTION 778. 29.17 (title) and (1) of the statutes are amended to read:

**29.17 (title) Scientific collector permit.** (1) The department may issue a scientific collector's permit ~~collectors permits~~ collector permit to a qualified natural ~~persons~~ person as provided ~~in~~ under this section. This permit authorizes the permittee to collect or salvage for scientific purposes only, the eggs, nest and wild animals specified in the permit subject to the conditions and limitations specified in the permit and the rules of the department. The permittee may use the specimens for the scientific purposes collected or salvaged and may transport them or cause them to be transported by common carrier. Possession of these specimens ~~shall~~ may not be transferred to any other person, except these specimens may be exchanged for other specimens for scientific purposes.

SECTION 779. 29.17 (2) and (3) of the statutes are amended to read:

29.17 (2) Application for ~~such permits~~ a scientific collector permit shall be made to the department ~~on blanks furnished by it. No fee shall be required.~~

(3) Upon receipt of an application ~~under this section~~ for a scientific collector permit, the department shall investigate the matter. If the department is satisfied that the applicant is engaged in a bona fide program leading to increased, useful scientific knowledge, it may issue a scientific ~~collectors~~ collector permit to the applicant. This permit shall state the name and address of the permittee, the date of issue, the purposes for which it is issued, the type, species and number of specimens authorized to be collected or salvaged, the area and period of time in which the specimens may be collected or salvaged, the place the specimens shall be kept and other conditions and limitations as the department deems reasonable. ~~Each A scientific collector permit expires on December 31 following the date of issue and is not transferable.~~

SECTION 780. 29.174 (1) of the statutes is amended to read:

29.174 (1) ~~There~~ The department shall ~~be established and maintained, as hereinafter provided, such~~ establish and maintain open and close seasons for the several species of fish and game, and ~~such~~ any bag limits, size limits, rest days and conditions governing the taking of fish and game as will conserve the fish and game supply and ~~insure~~ ensure the citizens of this state continued opportunities for good fishing, hunting and trapping. ~~Except for the Apostle Islands other than Madeline Island and except for deer hunting licenses issued under s. 29.105 (5), no deer hunting license shall be valid in a designated area if dated on or after the opening date for the gun deer season for such area unless the open season in an area overlaps the open season in another area in which case deer hunting licenses dated before the opening date in any area shall be valid in any other area during the period such seasons overlap.~~

SECTION 781. 29.21 (1) of the statutes is amended to read:

29.21 (1) The department may issue pamphlets and bulletins, ~~and.~~ The department may also issue a publication or magazine at such stated intervals as they may determine it determines, all pertaining to fish and game, forests, parks and other kindred subjects of general information and. The department may sell subscriptions thereto to this publication or magazine, except that no fee may be charged to a person who is provided a subscription to the Wisconsin natural resources magazine under s. 29.1475.

SECTION 782. 29.225 (2) of the statutes is amended to read:

29.225 (2) CERTIFICATE OF ACCOMPLISHMENT. The department shall issue a certificate of satisfactory completion of the courses of instruction required under this section to any person entitled to a certificate. The certificate may be used by a resident to whom issued in lieu place of a small game hunting license as required in s. 29.09. ~~The certificate shall be valid for one calendar year effective September 1 of the year following the date of issuance of the certificate and shall expire on August 31 of the next year.~~ The form and content of the certificate shall be as prescribed by the department.

SECTION 783. 29.225 (4) of the statutes is amended to read:

29.225 (4) (title) USE OF FIREARMS. (a) No person under 12 years of age may hunt with a firearm or have in his or her possession any firearm for hunting.

(b) Except as hereinafter provided, it is unlawful for any under pars. (c) and (d), no person under the 16 years of age of 16, unless accompanied by a parent or guardian, to may hunt with a firearm or have in his or her possession or under his or her control any firearm of any kind for hunting or, target practice or any other purpose unless he or she is accompanied by a parent or guardian or by a person over 18 years of age designated by the parent or guardian.

(c) Any person participating in a course of supervised instruction pursuant to under this section may carry encased and unloaded firearms to and from class and may operate the same firearms during the course of such the supervised instruction.

(d) Any person between the ages of 14 and 16 years of age who has a certificate as herein provided, of accomplishment issued under this section or a hunter safety certificate duly issued by another state or province, is exempted from this section and from the age limitations of s. 29.09 (1) the restrictions under par. (b).

(e) No certificate shall of accomplishment may be issued to a person under 12 years of age.

(f) No parent or guardian of any child under 16 years of age shall may authorize or knowingly permit such the child to violate this section subsection.

SECTION 784. 29.225 (5) of the statutes is amended to read:

29.225 (5) FEES. For the purpose of defraying the expenses of the program within the state, the department shall collect ~~\$3~~ the certificate of accomplishment fee specified under s. 29.092 (2) (n) from each person who ~~has~~ received the courses of instruction provided in this section. The department may authorize instructors conducting firearms safety courses meeting standards established by it to retain ~~\$1~~ 33% of the fee to defray expenses incurred locally to operate the program. The remaining ~~\$2~~ 67% of the fee shall be deposited with the state treasurer.

SECTION 785. 29.245 (7) of the statutes is amended to read:

29.245 (7) PENALTIES. A person who violates sub. (3) shall be fined not less than \$1,000 nor more than \$2,000 or imprisoned not more than 90 days or both and all ~~licenses approvals~~ issued to the person under this chapter shall be revoked and may not be reissued for 3 years. A person who violates sub. (4) or (5) shall forfeit not more than \$1,000.

SECTION 786. 29.33 (2) (title), (a) ~~and (b)~~ of the statutes are amended to read:

**Vetoed  
in Part**

29.33 (2) (title) CLASSES OF LICENSES; RESIDENCY; TRANSFERS; CATCH FEES. (a) *Resident*. The fees for classes of commercial fishing licenses required for residents of this state ~~shall be~~ are:

1. For fishing without a boat or with a boat not exceeding 25 feet in overall length, ~~\$60 per year~~ a class A commercial fishing license.

2. For each large commercial fishing boat, a class B commercial fishing license. A large commercial fishing boat is any boat in excess of 25 feet in overall length used in catching, killing, taking or transporting fish caught with nets, \$200 per year and \$5 per foot additional for each foot over 40 feet in overall length. No license is required for except a boat used only in transporting nets. Each A class B commercial fishing license shall entitle entitles the licensee to operate a rowboat not exceeding 16 feet in overall length without additional license. ~~Each such if the rowboat shall bear~~ bears the same identification as the boat for which the license is issued and ~~shall be is~~ used only while attending the boat for which the license is issued. ~~Licensees under this subdivision A~~ person with a class B commercial fishing license may fish without a boat without an additional license. ~~No resident may pay less than \$200 or more than \$300 per year on any boat regulated under this subdivision.~~

3. For fishing with or without a boat only for the harvest of rough fish from outlying waters when the fish are taken under a contract issued under s. 29.62 or 29.625, ~~\$25 for each boat~~ a class C commercial fishing license.

~~(b) *Nonresident*. The following fees for classes of commercial fishing licenses shall be required from for nonresidents are:~~

~~1. Fishing without a boat or with gear set under the ice, \$300, a class D commercial fishing license.~~

~~2. For each small commercial fishing boat, a class E commercial fishing license. A small commercial fishing boat is any boat 25 feet or less in overall length used in catching, killing, taking or transporting fish caught with nets, \$300, and, in addition, \$3 per foot of the overall length except a boat used only in transporting nets.~~

~~3. For each large commercial fishing boat, a class F commercial fishing license. A large commercial fishing boat is any boat greater than 25 feet in length, \$800, and, in addition, \$3 per foot of the overall length. No license is required for except a boat used only in transporting nets. No nonresident person may pay less than \$300 or more than \$900 per year on any boat.~~

**Vetoed  
in Part**

SECTION 787. 29.33 (2) (d) of the statutes is amended to read:

29.33 (2) (d) *Transfer of license*. The department may, upon application, permit the transfer of a license to any similar boat during the time a licensed boat is disabled or undergoing repairs or upon the sale of a licensed boat. ~~The fee for transfer of the license is \$5.~~ The department shall establish rules governing the transfer of commercial fishing licenses between individuals equally qualified to hold the licenses and to members of a licensee's immediate family provided the rules assure the wise use and conservation of the fish resources being harvested under the license. The rules shall relate only to those waters in which the number of licenses is limited. The commercial fishing boards, under sub. (7), shall approve or deny transfers of commercial fishing licenses in accordance with the rules promulgated under this section.

SECTION 788. 29.33 (2) (e) of the statutes is repealed.

SECTION 789. 29.33 (4) (a) of the statutes is amended to read:

29.33 (4) (a) Any commercial fishing licensee may use licensed crew members when fishing with or without a boat. The number of crew members engaged under a single license shall may not exceed 4 when fishing with nets under the ice. The department, upon proper application for crew licenses, may issue with each commercial fishing license no more than 4 crew licenses for the specific purpose of fishing with nets under the ice and the number indicated on the application for the purpose of fishing in open water. Each crew license shall bear the number of the commercial fishing license, the purpose for which intended, the year for which issued and the name of the crew member to whom the crew license is issued. The crew license shall ~~permit~~ permits a person to engage in commercial fishing only as a member of a crew of a commercial fisher licensed under sub. (1). ~~There shall be no fee charged for a crew license.~~

SECTION 790. 29.34 (2) of the statutes is amended to read:

29.34 (2) Each ~~such net~~ license shall ~~expire on April 15 next succeeding the date of its issue, and shall authorize~~ authorizes the use of one or more of the following nets only: Seines, ~~gill~~

- (a) Seine nets.
- (b) Gill nets, ~~bait.~~
- (c) Bait nets ~~to be used without leads, buffalo.~~
- (d) Buffalo nets ~~and frame.~~
- (e) Frame nets.

SECTION 791. 29.34 (3) of the statutes is repealed.

SECTION 792. 29.34 (4) of the statutes is amended to read:

29.34 (4) ~~No such licensed~~ (a) Except when lifting or setting a gill net, no person may use a seine, gill, bait, buffalo or frame net shall be used in the Mississippi and St. Croix rivers unless it is equipped with the net has the required number of metal tags stamped to designate the kind of net and number of the net license covering it. One tag shall be securely fastened to it.

(b) The required number of tags is as follows:

1. For a seine net, one tag for each 500 lineal feet, or fraction thereof, of seine; one to.
2. For a gill net, one tag for each 2,000 lineal feet, or fraction thereof, of gill net, except when lifting or setting; and one to each.
3. For a bait, buffalo or frame net. Such tags shall be furnished by the, one tag for each net.

(c) The department or the county clerk shall issue net tags to the licensee at the time of issuing the net license, on payment of a fee of 25 cents for each tag other than for a buffalo or frame net and 50 cents for each tag on a buffalo or frame net.

SECTION 793. 29.343 (title) and (1) of the statutes are amended to read:

**29.343 (title) Slat net fishing in the Mississippi river.** (1) ~~Licenses which shall authorize~~ A slat net license authorizing the taking of commercial fish through the use of slat nets in that part of the Mississippi river over which this state has jurisdiction between the Minnesota-Iowa boundary line extended and the Wisconsin-Illinois boundary line extended shall may be granted for the taking of commercial fish. Each license issued under this section expires on April 15 following the date of issue. The license fee shall be \$20 and each licensee or issued subject to s. 29.09 by the county clerk of a county bordering these waters to any resident who applies for this license.

(2) A person who is issued a slat net license or a crew may operate not to exceed 50 properly tagged slat nets, but each net before use must have,

(3) No person may use a slat net unless it is properly tagged. In order to be properly tagged a slat net is required to have attached thereto to it a metal tag stamped to designate the kind of net and the number of the slat net license. Tags shall be furnished to the licensee at the time of the issuing of the license on the payment of a fee of 50 cents for each tag. Slat net tags are required to remain attached to the nets until replaced by renewal tags.

(4) No slat net ~~shall~~ may be set within 100 feet of any muskrat or beaver house. Any slat net found in such any waters during the closed season for the use of slat nets and any slat net found on the Wisconsin banks or shores thereof without a slat net tag and showing evidence of being used in the last previous 5 months shall be seized and held subject to the order of the court or judge under s. 29.05.

SECTION 794. 29.343 (2) of the statutes is renumbered 29.343 (5).

SECTION 795. 29.343 (3) of the statutes is renumbered 29.344 and amended to read:

**29.344 (title) Trammel net fishing in the Mississippi river.** (1) The department may issue annual licenses to residents authorizing a trammel net license to any resident who applies for this license subject to s. 29.09.

(2) This license authorizes the use of trammel nets in that part of the Mississippi river over which this state has jurisdiction. The license fee shall be computed on the basis of \$20 per net not to exceed

(3) No person may use a trammel net which exceeds 300 feet and a tag furnished. The license shall be subject to the same provisions and conditions stated in sub. (1) no person may use a trammel net unless it is properly tagged. In order to be properly tagged, a trammel net is required to have attached to it a metal tag stamped to designate the kind of net and the number of the trammel net license. Trammel net tags are required to remain attached to the nets until replaced by renewal tags.

(4) No trammel net may be set within 100 feet of any muskrat or beaver house. Any trammel net found in any waters during the closed season for the use of trammel nets and any trammel nets found on the Wisconsin banks or shores without a trammel net tag and showing evidence of being used in the previous 5 months shall be seized and held subject to the order of the court or judge under s. 29.05.

SECTION 796. 29.36 (1) of the statutes is amended to read:

29.36 (1) ~~Set A set or bank pole licenses which shall authorize~~ license authorizing the use of not to exceed 5 set or bank poles for taking, catching or killing fish in the inland waters of the state where the use of set lines is permitted shall be issued, subject to s. 29.09, by the department or the county clerk of the county where such the set or bank poles are intended to be used, to any resident of the state applying therefor. The fee for such license shall be \$2.25 and it shall expire on December 31 following the date of its issue for this license.

SECTION 797. 29.37 (1) of the statutes is amended to read:

29.37 (1) ~~Set A set line licenses shall authorize~~ license authorizing the use of set lines and hooks in inland waters in such the manner as shall be determined by the department for taking, catching or killing fish, and shall be issued subject to s. 29.09 by the department or the county clerk of the county bordering on the waters where such the set lines are intended and permitted to be used, to any resident of the state duly applying therefor. Each such license shall expire on the December 31 next following the date of issue for this license.

SECTION 798. 29.37 (2) of the statutes is repealed.

SECTION 799. 29.37 (3) of the statutes is amended to read:

29.37 (3) (a) ~~No person shall may operate any set line unless he has first obtained a duly issued license to do so pursuant to sub. (1) and has or she has a set line license. No person may use a set line unless it is properly tagged. In order to be properly tagged a set line is required to be securely attached to a buoy or stake at one end of the set line, the buoy or stake is required to have attached to it a metal tag stamped to designate the serial number of the set line license covering it so that it will be and the buoy or stake is required to be placed and the tag attached in a manner so the tag is~~ visible above the surface of the water. ~~Such tag shall be furnished by the~~

(b) ~~The department to or the county clerk, and by the latter shall issue set line tags to the licensee at the time of issuing the set line license, on payment of a fee of 25 cents. All fees received by county clerks for such metal tags shall be returned and reported in the same manner as are license fees, as prescribed in s. 29.09, both without deduction.~~

SECTION 800. 29.41 of the statutes is amended to read:

**29.41 Skins of fur-bearing animals.** ~~No person shall have in his possession may possess or have under his or her control the skin of any mink, muskrat, fisher, marten, beaver or otter, showing that the same has been animal was shot or speared, nor. No person may possess or have under his or her control the green skin of any fur-bearing animal from the 5th day after the beginning of the closed season for such that animal until the end thereof of that closed season. No person shall have may possess the raw skin of any muskrat, mink, beaver, otter, fisher or marten in his possession at any time unless such the person is the holder of a scientist's certificate scientific collector permit, fur dealer's dealer license or trapper's, trapping license or conservation patron license of current issue. No license shall be is required of any for a person breeding, raising and producing domestic fur-bearing animals in captivity as defined in s. 29.579, nor of any for a person authorized to take muskrats on a cranberry marsh under a permit issued to him the person by the department.~~

SECTION 801. 29.42 (title), (1) and (2) of the statutes are amended to read:

**29.42 (title) Possession of game birds and animals.** (1) (title) APPROVAL NECESSARY. ~~No person, other than the holder of except a person who is issued a valid hunting license, sports license, a conservation patron license or scientist's certificate duly issued to him and in force scientific collector permit and carried by him who is carrying this approval on his or her person, shall have in his possession may possess or have under his or her control any game bird, or animal, or the carcass or any part thereof of any game bird or animal.~~

(2) NESTS AND EGGS. ~~No person shall, except a person who is issued a valid scientific collector permit, may take or, needlessly destroy, or have in his possession or possess or have under his or her control, except by virtue of a scientist's certificate, the nest or eggs of any wild bird for which a close closed season is prescribed in under this chapter.~~

SECTION 802. 29.52 (4) (f) of the statutes is repealed.

SECTION 803. 29.52 (5) of the statutes is amended to read:

29.52 (5) Upon the filing of the application for a private fish hatchery license, the department shall inspect and investigate the same fish hatchery and may hold public hearings thereon on the matter. All expenses of the inspection, except the salary of the employe who inspects the hatchery, shall be paid by the applicant. When satisfied that the applicant is the owner or lessee of the lands described and upon finding that all provisions and conditions of this section have been fully complied with, the department shall issue a license to propagate, rear, sell and possess fish of the kind specified in the license and as provided in this section. All licenses ~~shall expire on December 31 of each year and~~ shall be renewed, subject to this section, upon filing of a verified report with the department ~~within 30 days thereafter~~, containing the information on the operation of the hatchery requested by the department, together with the appropriate license fee.

SECTION 804. 29.544 (3) of the statutes is amended to read:

29.544 (3) (title) LICENSE REQUIRED EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every person over the age of 16 and under the age of 65 shall obtain a the appropriate wild rice license and ~~pay a license fee~~ to harvest or deal in wild rice but no license to harvest ~~shall be~~ is required of the members of the immediate family of a licensee or of a recipient of old-age assistance or general relief or members of their immediate families. ~~Identification cards shall be issued without fee to any such~~ The department shall issue a wild rice identification card to each member of a licensee's immediate family, to a recipient of old-age assistance or general relief and to each member of his or a licensee's the recipient's family. The term "immediate family" includes husband and wife and minor children having their abode and domicile with the parent or legal guardian.

SECTION 805. 29.544 (4) (title), (a) and (b) of the statutes are amended to read:

29.544 (4) (title) LICENSES. (a) *Wild rice harvest license.* ~~The fee for each license authorizing the harvesting of wild rice in the navigable waters of the state is \$1.~~ No wild rice harvest license shall be is required of helpers of a licensee who participate only in shore operations. Wild rice harvest licenses ~~shall~~ may be issued only to residents of this state.

(b) (title) *Wild rice dealer license.* ~~The fee for A wild rice dealers' licenses dealer license is required~~ to buy wild rice within the state for resale to anyone except consumers, or to sell wild rice imported from outside of the state to anyone within the state except consumers, or to process wild rice not harvested by the processor himself or herself for resale by the processor to any other person is \$150. The license is required to be a class D wild rice dealer license if the amount of wild rice bought, sold or processed by the licensee within the year covered by the license exceeds 50,000 pounds; \$100 if such. The license is required to be a class C wild rice dealer license if this amount exceeds 25,000 pounds; but does not exceed 50,000 pounds; \$50 if such. The license is required to be a class B wild rice dealer license if this amount exceeds 5,000 pounds; but does not exceed 25,000 pounds; \$15 if such. The license is required to be a class A wild rice dealer license if this amount does not exceed 5,000 pounds. For the purposes of this section, 2 1/2 pounds of raw rice ~~shall be~~ is deemed equivalent to one pound of processed rice.

SECTION 806. 29.544 (4) (c) of the statutes is repealed.

SECTION 807m. 29.547 (1) of the statutes is repealed and recreated to read:

29.547 (1) DEFINITIONS. As used in this section:

(a) "Dealer" means a person who buys at least 8 ounces of wild ginseng annually ~~for the purpose of resale, except that it does not include a person who buys wild ginseng solely for the purpose of final retail sale to consumers.~~ **Vetoed in Part**

(b) "Wild ginseng" means ginseng that is not planted, grown or nurtured by a person.

SECTION 809m. 29.547 (5) of the statutes is amended to read:

29.547 (5) EVIDENCE. In any prosecution under this section proof that any wild ginseng which was purchased had been illegally obtained by the vendor shall be is prima facie evidence of a violation of this section by the purchaser.

SECTION 810g. 29.547 (6) (title) of the statutes is amended to read:

29.547 (6) (title) WILD GINSENG HARVEST LICENSE.

SECTION 810m. 29.547 (6) of the statutes is renumbered 29.547 (6) (a) and amended to read:

29.547 (6) (a) (title) *Requirement.* No person may cut, root up, gather or destroy wild ginseng unless the person has a ~~license to harvest~~ wild ginseng harvest license issued by the department. The department shall establish by rule the procedure for issuing wild ginseng harvest licenses. ~~The fee for a harvest license is \$5 except that no fee may be charged for a license issued to a person for cutting, rooting up, gathering or destroying~~

wild ginseng only on the person's own land. A harvest license is valid from August 15 to November 1 for the year during which it is issued. The department may establish by rule limitations on the quantity of wild ginseng each person may harvest, restrictions on areas where wild ginseng may be harvested and regulations on the methods which may be used to harvest wild ginseng.

SECTION 811e. 29.547 (7) of the statutes is repealed and recreated to read:

29.547 (7) WILD GINSENG DEALER LICENSE. No person may engage in business as a dealer and no dealer may purchase wild ginseng unless he or she has a wild ginseng dealer license issued by the department. The department may establish by rule the procedure for issuing a wild ginseng dealer license.

SECTION 811g. 29.547 (8) of the statutes is renumbered 29.547 (6) (b) and amended to read:

29.547 (6) (b) *Exception.* ~~Subsection (6) Paragraph (a)~~ does not apply to a person who cuts, roots up, gathers or destroys wild ginseng growing on the person's own land if the ginseng is not sold.

SECTION 811i. 29.547 (8) of the statutes is created to read:

29.547 (8) SHIPMENT OF WILD GINSENG. (a) *Certificate required.* Except as provided under par. (b), no person may ship wild ginseng out of this state unless the wild ginseng is accompanied by a valid and completed shipping certificate.

(b) *Exception.* Paragraph (a) does not apply to a person who ships wild ginseng to a person outside of this state who is buying or receiving the wild ginseng solely for the purpose of final retail sale to consumers in the United States, if the person shipping keeps a written record of the shipment which includes all of the following:

1. The name and address of the purchaser or recipient and the purchaser or recipient's wild ginseng dealer license number, if any.
2. The dry weight of the wild ginseng included in the shipment.
3. The date of the shipment.
4. The source of all of the wild ginseng included in the shipment, including the names and addresses of the sources if purchased or obtained from other persons and the wild ginseng harvest license numbers or wild ginseng dealer license numbers of those persons, if any.

(c) *Issuance of certificates.* The department may issue shipping certificates only to a person who has a wild ginseng harvest license or a wild ginseng dealer license. No person except the person to whom the shipping certificate is issued may use or possess the shipping certificate.

(d) *Effective period; cancellations; return.* Unless canceled, a shipping certificate is valid for the period indicated on the certificate's face. The department may cancel a shipping certificate at any time. Any person to whom shipping certificates are issued shall return all unused shipping certificates to the department within 10 days after the expiration of the period indicated on the certificates or within 10 days after the department cancels the certificates.

(e) *Validity.* A shipping certificate is valid only if it has not expired or been canceled by the department, is fully completed and contains no false information. A shipping certificate is valid only for wild ginseng originating from this state.

(f) *Prohibitions.* No person may ship wild ginseng originating from another state under a shipping certificate issued under this subsection. No person may use an expired or canceled shipping certificate, falsify information on a shipping certificate, use a shipping certificate without fully completing it, maintain false records or copies of shipping certificates or fail to maintain records or comply with rules adopted by the department concerning shipping certificates.

SECTION 811m. 29.547 (9) of the statutes is renumbered 29.547 (11) and amended to read:

29.547 (11) PENALTY. A person who violates this section or a rule promulgated adopted under this section is subject to a civil forfeiture of shall forfeit not more than \$500 and any license issued under this section may be revoked and future license applications denied for a period not to exceed 3 years. A person who violates this section or a rule adopted under this section within 3 years after conviction for previous violation of this section or a rule adopted under this section shall forfeit not more than \$1,000.

SECTION 811r. 29.547 (9) and (10) of the statutes are created to read:

29.547 (9) RECORDS; REPORTS; INSPECTIONS. (a) *Purchases*. A dealer who purchases wild ginseng shall maintain records of the quantity purchased, the name and wild ginseng dealer license number of the vendor and other information required by the department. **Vetoed in Part**

(b) *Sales and shipments*. A dealer shall maintain records required under sub. (8) and shall keep records and reports of sales, shipments and transactions as required by the department.

(c) *Records; retention*. A dealer shall retain records required under this section for 3 years after the date of the transaction recorded.

(d) *Submission of records*. A dealer shall submit records required under this section or legible copies of those records to the department within 10 days after the department requests submission of those records by mailing a request to the dealer at the address listed on the wild ginseng dealer license application.

(e) *Reports*. A dealer shall submit reports required by the department under this section upon request.

(f) *Inspections*. Upon request, a dealer shall make all records required under this section and all of the inventory of wild ginseng under the dealer's control available to the department for inspection.

(g) *Confidentiality*. Notwithstanding s. 19.21, wild ginseng harvest license and wild ginseng dealer license records, records required under sub. (7) or this subsection and reports required under this subsection are not public records and shall not be released or used by the department for any purpose except investigation and enforcement of this section.

(10) SUSPENSION; REVOCATION. (a) *Suspension*. The department may suspend the wild ginseng harvest license or the wild ginseng dealer license of a person who violates this section subject to a subsequent right to a hearing before the department. In order to obtain a hearing, a person is required to file a request with the department within 30 days after receipt of the notice of suspension. The filing of a request for a hearing does not stay the suspension pending the hearing.

(b) *Revocation*. The department may revoke the wild ginseng harvest license or the wild ginseng dealer license of a person who violates this section and may refuse to issue any new license under this section for a period of not more than 3 years. The department shall revoke the wild ginseng harvest license or wild ginseng dealer license of a person who violates this section within 3 years after his or her license was revoked or suspended for a previous violation and shall refuse to issue any new license under this section for a period of not less than one year nor more than 3 years.

SECTION 812. 29.572 (3) of the statutes is amended to read:

29.572 (3) Applications for the renewal of any license issued under ss. 29.573 to 29.578 shall be filed with the department on or before the expiration date of such the license, except; that an application for renewal of any such this type of license may be filed not more than 45 days after such the expiration date when if it is accompanied by a the late

filing fee of \$10 specified under s. 29.092 (9) (i) in addition to the regular license or renewal fee. If application for renewal of a license is not made as required in this subsection or if a license is terminated for any reason, all rights and privileges of the licensee under ~~such~~ the license are terminated upon the expiration of the 45-day period provided in this subsection or on the date of termination whichever occurs first. Thereafter, the lands and waters which were included under ~~such~~ the license shall be subject to ss. 29.573 to 29.578.

SECTION 813. 29.573 (1) of the statutes is amended to read:

29.573 (1) The department may issue pheasant and quail farm licenses for shooting preserves and the releasing, shooting, possession and use of pheasants and quail ~~thereon when on pheasant and quail farms if~~, in the judgment of the department, operations under ~~such~~ these licenses will result in a net increase in the supply of pheasants and quail in the state, and will otherwise be in the public interest. ~~A fee of \$20 shall be collected for each such license. All such licenses shall expire on June 30 of each year.~~

SECTION 814. 29.574 (4) of the statutes is repealed.

SECTION 815. 29.575 (5) of the statutes is repealed.

SECTION 816. 29.575 (7) of the statutes is amended to read:

29.575 (7) ~~Such~~ A valid fur animal farm license shall be is prima facie evidence in all courts and proceedings of the right of the licensee, successors or assigns, ~~for the term of the license~~, to establish and operate a fur animal farm upon the premises, and entitles the licensee, successors or assigns, to the exclusive right ~~during the term~~ to breed and propagate fur animals ~~thereon~~, upon the premises and to the exclusive and sole ownership of any property in all fur animals caught or taken. ~~Such licenses shall expire on December 31 of each year.~~

SECTION 817. 29.578 (5) of the statutes is amended to read:

29.578 (5) ~~The holder of any such license shall pay an annual license fee of \$25. Such deer farm license shall expire on December 31 of each year, but shall be renewed each year if the licensee has not violated any of the provisions under which it was granted.~~

SECTION 818. 29.578 (14) (a) and (b) (intro.) of the statutes are amended to read:

29.578 (14) (a) ~~Any No~~ person who may wish to barter, sell or otherwise deal in the carcasses or parts of deer taken from a deer farm must first purchase farm unless the person obtains a deer farm sales license from the department a license for so doing. ~~The fee for such license shall be \$50 for each year and shall expire on December 31. Each carcass or part thereof of such this type of deer that may be is sold by such a person under such this license must is required to have a distinctive tag attached thereto that will be furnished them by the to it. The department at 5 cents each shall issue these deer farm sales tags.~~

(am) Special retail deer sale permits for a limited time authorizing a person to retail a venison lawfully killed and sold in the carcass to any retailer of meats may be issued by the department, ~~the fee for which shall be \$5 for each deer so sold.~~

(b) (intro.) Any person may serve venison obtained from a deer farm licensed under this section ~~provided he if the person~~ has a venison serving permit ~~therefor~~ from the department. The application for ~~the this~~ permit shall be in ~~such the~~ form and require such include the information as the department requires ~~and be accompanied with a permit fee of \$5~~. If the department after investigation is satisfied that the application is satisfactory it shall issue a venison serving permit conditioned as follows:

SECTION 819. 29.578 (14) (b) 1 of the statutes is repealed.

SECTION 820. 29.585 (2) (a) and (b) of the statutes are renumbered 29.585 (2) (b) and (a).

SECTION 821. 29.585 (5) of the statutes is amended to read:

29.585 (5) ~~It is unlawful for any~~ No person to may keep any live wild animal in captivity for the purpose of exhibition or for advertising purposes or ~~to~~ have any wild animal in his or her custody or under his or her control for such purpose, unless a wildlife exhibit license ~~has been~~ is issued to the person by the department. ~~Such~~ A wildlife exhibit license shall be is required in addition to any game bird and animal farm, deer farm or fur farm licenses license required by statute for the possession, breeding, propagating or dealing of ~~such~~ these wild animals ~~when such licensed~~ if these farms are wildlife exhibits as defined in under sub. (1). ~~The fee for such license shall be \$10 and such license shall expire annually on December 31.~~

SECTION 821m. 29.598 of the statutes is created to read:

**29.598 Wildlife damage abatement program; wildlife damage claim program.** (1) DEFINITION. As used in this section, "wildlife damage" means damage caused by wild deer, bear or geese to commercial seedings or crops on agricultural land, to orchard trees or nursery stock or to apiaries or livestock.

(2) DEPARTMENT POWERS AND DUTIES. (a) *Assistance.* The department shall assist counties in developing and administering the wildlife damage abatement and wildlife damage claim programs. The department shall provide this assistance through technical aid, program guidance, research, demonstration, funding, plan review, audit and evaluation services.

(b) *Eligibility and funding requirements.* The department shall adopt by rule eligibility and funding requirements for the wildlife damage abatement program and the wildlife damage claim program in order to maximize the cost-effectiveness of these programs.

(c) *Review of county administration plans.* The department shall provide guidelines to counties applying for participation in the wildlife damage abatement and wildlife damage claim programs under sub. (3) (b). The department shall review each plan of administration submitted under sub. (3) (c) and shall approve the plan if it is in substantial compliance with sub. (3) (c) and the administrative rules adopted by the department.

(d) *Administrative funds.* The department shall provide funding to each county participating in the wildlife damage abatement program, wildlife damage claim program or both for costs incurred in administering these programs. The amount of funding to be allocated for each county shall be based on the estimate of anticipated administrative costs prepared under sub. (3) (c) 8 but the department shall determine payments based on the actual administrative costs incurred. If actual costs exceed the estimate, the department may allocate additional funding based on criteria and using procedures established by rule.

(3) COUNTY ADMINISTRATION. (a) *County participation required.* Eligibility for the wildlife damage abatement program or the wildlife damage claim program requires participation of the county in the administration of these programs as specified under sub. (4) (a) and (6) (a). The department may not administer a wildlife damage abatement program or wildlife damage claim program on behalf of or instead of a county.

(b) *Application.* A county seeking to administer the wildlife damage abatement program or the wildlife damage abatement and wildlife damage claim programs shall apply to the department on forms provided by it on or before November 1 for the administration of these programs in the following calendar year or other period specified in the application.

(c) *Plan of administration.* The application shall include a plan of administration to which the county agrees and in the form required by the department. The plan of administration shall include all of the following:

1. An agreement that the county shall make all records and files relating to the wildlife damage abatement program and wildlife damage claim program, including records and files concerning access of hunters to lands for which a wildlife damage claim is filed,

available to the department for audit at reasonable times with the full cooperation of the county.

2. A description of authorized wildlife damage abatement measures, including designation of specifications for woven wire deer fences, for which reimbursement may be provided under the wildlife damage abatement program or which may be recommended under the wildlife damage claim program.

3. A summary of billing, allocation and accounting procedures to be used by the county and the department under this section. These procedures shall be consistent with generally acceptable accounting practices.

4. The procedure or formula to be used to determine land suitable for hunting and other hunting requirements necessary to comply with sub. (6) (e).

5. The procedures to be used in administering the wildlife damage abatement and wildlife damage claim programs.

6. A commitment that the county agrees to administer the wildlife damage abatement and wildlife damage claim programs so that participants are encouraged to pursue sound conservation as well as normal agricultural practices.

7. A summary of the organization and structure of the agency or unit of the county which is responsible for the administration of the wildlife damage abatement and wildlife damage claim programs.

8. An estimate of anticipated administrative costs, anticipated wildlife damage abatement assistance costs and anticipated wildlife damage claim payments.

9. Other information and conditions the department requires.

(d) *Departmental approval; revocation.* A county may not administer the wildlife damage abatement program or the wildlife damage claim program and a county is not considered a participating county for the purpose of administering these programs unless the department approves the plan of administration. The department may revoke its approval if a county does not comply with the plan of administration or this section.

(4) WILDLIFE DAMAGE ABATEMENT PROGRAM; ELIGIBILITY. (a) *Participating county.* In order to be eligible for wildlife damage abatement assistance, the land for which assistance is sought is required to be located in a county which is participating in the administration of the wildlife damage abatement program.

(b) *Filing of application.* In order to be eligible for wildlife damage abatement assistance, a person is required to file an application with the participating county in a form acceptable to the county.

(c) *Other eligibility requirements.* In order to be eligible for wildlife damage abatement assistance, a person is required to comply with eligibility requirements adopted by the department under sub. (2) (b) and with eligibility requirements specified in the plan administration under sub. (3) (c).

(5) WILDLIFE DAMAGE ABATEMENT PROGRAM; ASSISTANCE. (a) *Review.* A participating county shall review each application for wildlife damage abatement assistance to determine if wildlife damage is occurring or likely to occur.

(b) *Assistance.* A participating county may provide wildlife damage assistance where wildlife damage is occurring or is likely to occur for:

1. The reimbursement of costs associated with wildlife damage abatement measures authorized in the plan of administration under sub. (3) (c) 2.

2. A woven wire deer fence of the specifications designated in the plan of administration under sub. (3) (c) 2.

(c) *State aid.* The department may pay participating counties up to 50% of the actual cost of providing wildlife damage abatement assistance if wildlife damage abatement measures are carried out in full compliance with the direction of the county and with funding requirements adopted under sub. (2) (b).

(6) WILDLIFE DAMAGE CLAIM PROGRAM; ELIGIBILITY AND OTHER REQUIREMENTS. (a) *Participating county.* In order to be eligible for wildlife damage claim payments, the land where the wildlife damage occurred is required to be located in a county which is participating in the administration of both the wildlife damage abatement program and the wildlife damage claim program.

(b) *Filing of claim; form.* In order to be eligible for wildlife damage claim payments, a person is required to file a statement of claim with the participating county in a form acceptable to the county.

(c) *Time of filing; deduction.* A person seeking wildlife damage claim payments shall file a statement of claim within 14 days after the time the wildlife damage first occurs. If a person fails to file a statement of claim within this time, the wildlife damage claim payments shall be reduced as provided under sub. (7) (b) 4.

(d) *Compliance with wildlife damage abatement measures.* A person seeking wildlife damage claim payments shall comply with any wildlife damage abatement measures recommended by the county. If a person fails to comply with these measures, the wildlife damage claim payments shall be reduced as provided under sub. (7) (b) 4.

(e) *Hunting.* A person seeking wildlife damage claim payments and any other person who owns, leases or controls the land where the wildlife damage occurred shall permit hunting of the animals causing the wildlife damage on the land where the wildlife damage occurred and on contiguous land under the same ownership and control. If hunting of those animals is not permitted on that land, the wildlife damage claim payments shall be reduced as provided under sub. (7) (b) 4. In order to satisfy the requirement to permit hunting of animals causing wildlife damage, the land shall be open to hunting by the public or at least 2 persons per 40 acres of land suitable for hunting are required to be permitted to hunt each day during the appropriate open season and the land is required either not to be posted against hunting or to be posted to indicate hunting by permission only. The county, with the assistance of the department, shall issue a determination of the acreage of land suitable for hunting following the filing of a statement of claim or at the time it recommends any wildlife damage abatement measures. The county shall make available signs which are appropriate for posting land to indicate hunting by permission only.

(f) *Other eligibility requirements.* In order to be eligible for wildlife damage claim payments, a person is required to comply with eligibility requirements adopted by the department under sub. (2) (b) and with eligibility requirements specified in the plan of administration under sub. (3) (c).

(7) WILDLIFE DAMAGE CLAIM PROGRAM; PAYMENT OF CLAIMS; LIMITATIONS AND DEDUCTIONS. (a) *Investigation.* A participating county shall investigate each statement of claim and determine the amount of the wildlife damage.

(b) *Payments.* A participating county may approve wildlife damage claim payments but no person may receive wildlife damage payments:

1. In excess of the actual amount of the wildlife damage or \$5,000, whichever is less.
2. For the first \$500 of each claim for wildlife damage.
3. For damages to seedings or crops not managed or harvested in accordance with normal agricultural practices.
4. For \$2,000 of any claim for wildlife damage if a person fails to file the statement of claim within the proper time period, fails to comply with recommended wildlife damage abatement measures or does not permit hunting in conformance with sub. (6) (e).

5. For that portion of any claim for wildlife damage equal to any payments or reimbursements received from persons hunting on the land where wildlife damage occurred or on contiguous land under the same ownership and control.

(c) *Review.* A participating county's determination of the amount of wildlife damage or approval of wildlife damage payments shall be treated as final decisions for purpose of review.

(d) *State aid.* 1. Except as provided under subd. 2, the department shall pay participating counties the full amount of wildlife damage claim payments made in accordance with par. (b) and funding requirements adopted under sub. (2) (b) on June 1 of the calendar year after the calendar year in which the statement of claims were filed.

2. The department shall pay participating counties under subd. 1 from the appropriation under s. 20.370 (4) (kq) after first deducting payments made for county administrative costs under sub. (2) (d) and payments made for wildlife damage abatement assistance under sub. (5) (c). If the amount remaining in this appropriation is not sufficient to pay the full amount required under subd. 1, the department shall pay participating counties on a prorated basis.

SECTION 822. 29.642 (title), (1) (intro.) and (c) and (2) of the statutes are amended to read:

**29.642 (title) Fraud in obtaining approval.** (1) (intro.) Any person who makes a false statement concerning his or her ~~citizenship or residence,~~ and thereby obtains ~~in any manner~~ any license approval issued under this chapter as to which only ~~citizens or residents of this state~~ are entitled to:

(c) Shall pay a natural resources restitution payment equal to the amount of the statutory license fee of the license for the approval which was required and should have been obtained.

(2) Any person who obtains any license approval under this chapter during the period of time when that ~~license has been approval is~~ revoked by any court shall be fined not more than \$200 or imprisoned not more than 90 days or both.

SECTION 823. 29.643 (intro.) and (3) of the statutes are amended to read:

**29.643 (title) Changing approval.** (intro.) Any person who changes or alters, in any manner, or enters other than the correct date of issuance on any ~~license issued under this chapter approval:~~

(3) Shall pay a natural resources restitution payment equal to the statutory license fee of the license for the approval which was required and should have been obtained.

SECTION 824. 29.68 (5) (a), (c), (d) and (e) of the statutes are renumbered 29.68 (5) (c), (e), (a) and (d).

SECTION 825. 29.99 (2) (intro.) and (c) of the statutes are amended to read:

29.99 (2) (intro.) For hunting, trapping or fishing without ~~a license duly issued, whenever a license is an approval~~ required by this chapter:

(c) By the payment of a natural resources restitution payment equal to the amount of the statutory license fee of the license for the approval which was required and should have been obtained.

SECTION 826. 29.99 (5) of the statutes is amended to read:

29.99 (5) For the violation of any statute or rule relating to ~~the hunting or shooting of deer with the aid of artificial light,~~ the snaring of deer or the taking or possession of lake sturgeon, or for violation of s. 29.48 or 29.49, by a fine of not more than \$200 or imprisonment for not more than 90 days or both, and a mandatory 3-year revocation of all licenses hunting, fishing and trapping approvals issued to the person under this chapter.

SECTION 827. 29.99 (7) of the statutes is amended to read:

29.99 (7) For the violation of s. 29.224 (4) or 29.23, or of any statute or administrative rule relating to hunting from an airplane or using an airplane to spot, rally or drive animals for hunting, by a fine of not more than \$1,000 for the first violation and not more than \$2,000 for subsequent violations or imprisonment for not more than 90 days, or both, by a mandatory 3-year revocation of all ~~licenses issued under this chapter~~ hunting, fishing and trapping approvals and, in addition, by payment of a natural resources assessment equal to 75% of the amount of the fine. An airplane used in violation of these sections or rules is declared a public nuisance.

SECTION 828. 29.99 (11) of the statutes is amended to read:

29.99 (11) For hunting deer without the required license approval or during the closed season or possession or control of a deer carcass in violation of s. 29.39 or s. 29.40, by a fine of not less than \$1,000 nor more than \$2,000.

SECTION 829. 29.99 (12) of the statutes is amended to read:

29.99 (12) In addition to any other penalty for violation of this chapter or any department order made ~~pursuant to under~~ this chapter, the court may revoke or suspend any or all privileges and licenses approvals granted under this chapter for a period of up to 3 years. If a person is convicted of reckless or highly negligent conduct in the operation or handling of a firearm or bow and arrow in violation of s. 940.08 or 941.20 and either death or bodily harm to another results from ~~such that~~ that violation, the court shall revoke every license approval issued to that person under this chapter and shall provide a fixed period during which no new license approval may be issued to ~~such the~~ the person. If no death or bodily harm to another results from the violation, the court may revoke any license approval issued to that person under this chapter and may provide a fixed period during which no new license approval may be issued to ~~such the~~ the person.

SECTION 830. 29.99 (13) (title), (14) (title) and (15) (title) of the statutes are repealed.

SECTION 831. 29.99 (15) of the statutes is amended to read:

29.99 (15) In any prosecution under this section it ~~shall is not be~~ necessary for the state to allege or prove that the animals were not domesticated or were not taken for scientific purposes, or were taken or in possession or under control without a ~~license or permit therefor~~ required approval; but the person claiming that ~~such these~~ these animals were domesticated, or were taken for scientific purposes, or were taken or in possession or under control under a ~~license or permit duly issued~~ the required approval, ~~shall have has~~ the burden of proving ~~such this~~ this fact or facts.

SECTION 832. 29.995 (1) of the statutes is amended to read:

29.995 (1) ~~When any~~ If a person is convicted of any violation of this chapter or of any department order, and it is alleged in the indictment, information or complaint, and proved or admitted on trial or ascertained by the court after conviction that ~~such the~~ the person ~~had been before~~ was previously convicted within a period of 5 years for a violation of this chapter or of a department order, by any court of this state, ~~such the~~ the person shall be fined not more than \$100, or imprisoned not more than 6 months or both. In addition ~~thereto~~, all licenses hunting, fishing and trapping approvals issued to ~~such the~~ the person ~~pursuant to this chapter~~ shall be revoked and no ~~license shall~~ hunting, fishing or trapping approval may be issued to ~~such the~~ the person for a period of one year ~~thereafter~~ after the 2nd conviction.

SECTION 833. 29.998 (1) (a) of the statutes is amended to read:

29.998 (1) (a) On or after January 1, 1980, if a court imposes a fine or forfeiture for a violation of a provision of this chapter or a rule or order issued under this chapter where the payment of a natural resources restitution payment is required, the court shall impose a natural resources restitution payment equal to the amount of the statutory ~~license fee of the license~~ for the approval which was required and should have been obtained.

SECTION 834. 30.50 (1) to (10) of the statutes are renumbered 30.50 (2), (6), (9), (13), (8), (4), (1), (5), (12) and (11), respectively.

SECTION 835. 30.50 (3) of the statutes is created to read:

30.50 (3) "Certificate of number" means the certificate of number card, certification sticker or decal and identification number issued by the department under the federally approved numbering system unless the context clearly indicates otherwise.

SECTION 836. 30.50 (7) of the statutes is created to read:

30.50 (7) "Nonmotorized boat" means a boat which is not a motorboat but which is designed and constructed to be used as a boat for transportation of a person or persons on water. This term includes, but is not limited to, any canoe, sailboat, inflatable boat or similar device, row boat, raft and dinghy which is not a motorboat.

SECTION 837m. 30.50 (10) of the statutes is created to read:

30.50 (10) "Registration" means the registration card and registration sticker or decal issued by the department for federally documented vessels.

SECTION 838. 30.51 (title) of the statutes is amended to read:

**30.51 (title) Certificate of number and registration; requirements; exemptions.**

SECTION 839. 30.51 (1) of the statutes is renumbered 30.51 (1) (a) and amended to read.

30.51 (1) (a) (title) *Certificate of number*. No person may operate, and no owner may give permission for the operation of, any boat on the waters of this state unless the boat is covered by a valid certificate of number issued under this chapter or is exempt from the numbering certificate of number requirements of this chapter. A boat is not covered by a certificate of number unless the owner is issued a valid certificate of number card, the certificate sticker or decal is properly attached to and displayed on the boat and the identification number is properly displayed on the boat.

SECTION 840. 30.51 (1) (title) and (b) and (2) (title) of the statutes are created to read:

30.51 (1) (title) **REQUIREMENTS.**

(b) *Registration*. No person may operate, and no owner may give permission for the operation of, any boat on the waters of this state unless the boat is covered by a registration issued under this chapter or is exempt from the registration requirements of this chapter. A boat is not covered by a registration unless the owner is issued a valid registration card and the registration sticker or decal is properly displayed on the boat.

(2) (title) **EXEMPTIONS.**

SECTION 841. 30.51 (2) (intro.) of the statutes is renumbered 30.51 (2) (a) (intro.) and amended to read:

30.51 (2) (a) (title) *Exemptions from both certificate of number and registration requirements*. (intro.) A boat is exempt from the numbering both the certificate of number and the registration requirements of this chapter if it is:

SECTION 842. 30.51 (2) (a) of the statutes is repealed.

SECTION 843m. 30.51 (2) (a) 1 and 2 of the statutes are created to read:

30.51 (2) (a) 1. A nonmotorized boat which is not a sailboat.

2. A nonmotorized boat which is a sailboat but which is 12 feet in length or less.

SECTION 844n. 30.51 (2) (b) of the statutes is repealed and recreated to read:

30.51 (2) (b) *Exemption from certificate of number requirements*. A boat is exempt from the certificate of number requirements of this chapter if it is a federally documented vessel.

SECTION 845m. 30.51 (2) (c) to (i) of the statutes are renumbered 30.51 (2) (a) 3 to 9.

SECTION 846n. 30.51 (2) (c) of the statutes is created to read:

30.51 (2) (c) *Exemption from registration requirements.* A boat is exempt from the registration requirements of this chapter if it is:

1. Covered by a certificate of number issued under this chapter.
2. A federally documented vessel which is a commercial fishing boat licensed under s. 29.33.
3. A federally documented vessel with a home port located outside this state. This exemption does not apply if the boat has been within this state for a period in excess of 60 consecutive days or if this state is the state of principal use of the boat.

4. Operated within 15 days after an application for registration is made and the required fee is paid if proof of the application for registration is carried on board the boat.

SECTION 847. 30.52 (title) of the statutes is amended to read:

**30.52 (title) Certificate of number and registration; application; certification and registration period; fees; issuance.**

SECTION 848. 30.52 (1) of the statutes is renumbered 30.52 (1) (a) and amended to read:

30.52 (1) (a) (title) *Application for certificate of number.* 1. Any person who owns a boat required to be numbered under this chapter and principally used in this state covered by a certificate of number shall be numbered in this state under this section apply to the department for a certificate of number.

3. If a boat otherwise subject to the numbering certificate of number requirements of this chapter is covered by a valid certificate of number issued under federal law or the federally approved numbering system of another state and is used in this state in excess of 60 consecutive days or to the extent that if this state becomes the state of principal use, the owner of the boat shall immediately apply to the department for a certificate of number under this section.

SECTION 849m. 30.52 (1) (title) and (a) 2 of the statutes are created to read:

30.52 (1) (title) APPLICATION.

(a) 2. Any person who owns a nonmotorized boat which is exempt from the certificate of number requirement under s. 30.51 (2) (a) 1 or 2 may apply to the department for a certificate of number.

SECTION 850m. 30.52 (1) (b) of the statutes is created to read:

30.52 (1) (b) *Application for registration.* 1. Any person who owns a boat required to be registered under this chapter shall apply to the department for registration.

2. If a federally documented vessel with a home port located outside this state is used in this state in excess of 60 consecutive days or if this state becomes the state of principal use, the owner of the boat shall immediately apply to the department for registration.

SECTION 851. 30.52 (2) of the statutes is amended to read:

30.52 (2) (title) CERTIFICATION AND REGISTRATION PERIOD. Numbering periods shall run The certification and registration period runs for 2 years, commencing on April 1 of the year in which the certificate of number or registration is issued and, unless sooner terminated or discontinued in accordance with this chapter, expiring on March 31 of the 2nd year thereafter after issuance. A certificate of number or registration is valid only for the period for which it is issued.

SECTION 852. 30.52 (3) (a) of the statutes is amended to read:

30.52 (3) (a) (title) *Payment of fee required.* A fee person who applies for the issuance or renewal of a certificate of number or registration shall be paid to pay the department for the issuance of a certificate of number or renewal of such a certificate valid the fee

required under this subsection for the whole or any part of a numbering certification and registration period. ~~Except as provided under pars. (b) and (c), the fee is \$5.~~

SECTION 853. 30.52 (3) (b) and (c) of the statutes are renumbered 30.52 (3) (h) and (i) and amended to read:

30.52 (3) (h) (title) *Fee for issuance upon transfer of ownership.* ~~For~~ Notwithstanding pars. (b) to (g), the fee for the issuance of a certificate of number or registration to the new owner upon transfer of ownership of a boat numbered in this state, the fee shall be \$2 certified or registered under this chapter by the previous owner is \$2.50 if the certificate of number or registration is issued for the remainder of the numbering certification and registration period for which the previous certificate of number or registration was issued.

(i) (title) *Fleet fees.* ~~A person owning or otherwise holding 3 or more boats ready for hire generally or ready to let in connection with the operation of resort facilities or guide services may, at the person's option, pay a flat fee of \$7.50 plus \$1.50 per boat for obtaining or renewing certificates of number fleet rate for such these boats in lieu instead of the fee fees which otherwise would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for the issuance or renewal of certificates of number or registrations for boats under the fleet rate is \$9 plus 50% of the fees which would otherwise be applicable for the boats under pars. (b) to (g).~~

SECTION 854m. 30.52 (3) (b) to (g) and (j) of the statutes are created to read:

30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of a certificate of number for a boat less than 16 feet in length is \$6.50.

(c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the issuance or renewal of a certificate of number for a boat 16 feet or more but less than 26 feet in length is \$8.50

(d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the issuance or renewal of a certificate of number for a boat 26 feet or more but less than 40 feet in length is \$10.50.

(e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal of a certificate of number for a boat 40 feet or more in length is \$12.50.

(f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e), the fee for the issuance or renewal of a certificate of number for a sailboat which is not a motorboat is \$6.50.

(g) *Fee for documented vessels.* The fee for the issuance or renewal of registration for a federally documented vessel is the same as the fee for the issuance or renewal for a certificate of number under pars. (b) to (e).

(j) *Fee for issuance of duplicates.* The fee for the issuance of each duplicate certificate of number card, registration card, certification sticker or decal or registration sticker or decal is \$2.50.

SECTION 855. 30.52 (4) (title) of the statutes is repealed.

SECTION 856. 30.52 (4) (a) of the statutes is renumbered 30.52 (5) (a) and amended to read:

30.52 (5) (a) (title) *Certificate of number; card; sticker or decal; number.* 1. Upon receipt of a proper application for the issuance or renewal of a certificate of number accompanied by the required fee and the payment of the any sales and use tax due under s. 77.61 (1), the department shall issue to the applicant a certificate of number stating the card. The certificate of number card shall state the identification number awarded, the name and address of the owner and other information the department deems necessary. The certificate of number card shall be of pocket size and of durable water resistant material. A

3. At the time the department issues a certificate of number card, it shall award an identification number. The department shall provide the applicant with instructions concerning the painting or attachment of the awarded identification number to the boat. The identification number shall be awarded to a particular boat unless the owner is a manufacturer of or dealer in boats, motors or trailers, and desires to use the identification number on his or her boats only while being tested or demonstrated or while being used for the purpose of testing or demonstrating a motor or trailer.

SECTION 857. 30.52 (4) (b) of the statutes is renumbered 30.52 (5) (a) 2 and amended to read:

30.52 (5) (a) 2. ~~The department~~ At the time the department issues a certificate of number card, it shall issue 2 registration certification stickers or decals per boat except that only one sticker or decal shall be issued per sailboat. Such. The certification stickers or decals shall bear the year of expiration of the current numbering certification and registration period. The department shall provide the applicant with instructions concerning the attachment of the certification stickers or decals to the boat.

SECTION 858. 30.52 (5) of the statutes is renumbered 30.505 and amended to read:

**30.505 (title) Certificate of number system to conform to federal system.** The numbering certificate of number system and the issuance of identification numbers employed by the department shall be in conformity with the over-all system of identification numbering for motorboats established by the U.S. government. The department shall adopt such promulgate rules as are necessary to bring the state numbering certificate of number system and the issuance of identification numbers into conformity with such this federal system.

SECTION 859. 30.52 (5) (title), (b) and (c) of the statutes are created to read:

30.52 (5) (title) ISSUANCE.

(b) *Registration; card; sticker or decal.* 1. Upon receipt of a proper application for the issuance or renewal of a registration accompanied by the required fee and the payment of any sales and use tax due under s. 77.61 (1), the department shall issue to the applicant a registration card. The registration card shall state the name and address of the owner and other information the department deems necessary. The registration card shall be of pocket size and of durable water resistant material.

2. At the time the department issues a registration card, it shall issue 2 registration stickers or decals per boat. The registration stickers or decals shall bear the year of expiration of the current certification and registration period. The department shall provide the applicant with instructions concerning the attachment of the registration stickers or decals to the boat.

3. At the time the department issues a registration card, it shall furnish to the person obtaining the card a copy of the state laws pertaining to the operation of boats or informational material based on these laws.

(c) *Duplicates.* Upon receipt of a proper application for the issuance of a duplicate certificate of number card, registration card, certification sticker or decal or registration sticker or decal accompanied by the required fee, the department shall issue the applicable duplicate to the owner.

SECTION 860. 30.52 (6) of the statutes is renumbered 30.52 (1) (c) and amended to read:

30.52 (1) (c) (title) *Application for duplicates.* If a certificate of number or card, a registration card, a certification sticker or decal or a registration sticker or decal is lost or destroyed the owner may apply for a duplicate. Such The application shall be made upon a form designated by the department and shall be accompanied by a the required fee of \$2.00 for each duplicate certificate of number or card, registration card, certification sticker or decal or registration sticker or decal applied for. Upon receipt of a proper

~~application and the required fee, the department shall issue a duplicate certificate or a sticker or decal to the owner.~~

SECTION 861. 30.52 (7) of the statutes is renumbered 30.52 (5) (a) 4 and amended to read:

30.52 (5) (a) 4. ~~The department~~ At the time the department issues a certificate of number card, it shall furnish to each the person obtaining a certificate of number the card a copy of the state laws pertaining to operation of boats or informational material based on such these laws.

SECTION 862. 30.52 (8) of the statutes is renumbered 30.52 (4) and amended to read:

30.52 (4) SALES AND USE TAXES. The department shall collect ~~from the applicant any~~ sales and use taxes due under s. 77.61 (1) on any boat for which a certificate of number is ~~issued or registration is applied for.~~ The department shall use collection and accounting methods approved by the department of revenue.

SECTION 862m. 30.525 of the statutes is created to read:

**30.525 Voluntary contributions for nonmotorized boats.** The department shall encourage owners of boats which are exempt from the certificate of number requirement under s. 30.51 (2) (a) 1 or 2 to contribute funds to be utilized for the development or enhancement of programs or services which provide benefits relating directly to nonmotorized boating activities. The department shall make reasonable efforts to publicize the nonmotorized boat voluntary contribution program and the purposes for which these revenues are to be utilized.

SECTION 863. 30.53 (title) of the statutes is amended to read:

**30.53 (title) Certification or registration card to be on board; display of stickers or decals and identification number.**

SECTION 864. 30.53 (1) of the statutes is renumbered 30.53 (3) and amended to read:

30.53 (3) DISPLAY OF IDENTIFICATION NUMBER. Upon being issued a certificate of number card and stickers or decals under this chapter awarded an identification number, the owner of the boat shall paint on or attach the identification number ~~and attach or affix the stickers or decals~~ to each side of the forward half of the boat in the manner prescribed by rules ~~of promulgated by the department in order that they may be.~~ The owner shall paint or attach the identification number so it is clearly visible and shall maintain the identification number and stickers or decals in a legible condition at all times. The department shall furnish the owner with instructions relative to painting or attaching the awarded number and stickers or decals to the boat. A manufacturer or dealer in boats, motors or trailers may have the awarded number printed upon or attached paint the identification number on or attach the identification number to removable signs to be temporarily but firmly mounted upon or attached to the boat while being tested or demonstrated or while being used in connection with the testing or demonstrating of a motor or trailer. No number other than the identification number awarded and no stickers or decals other than those provided by the department or granted reciprocity under this chapter may be painted, attached, or otherwise displayed on either side of the forward half of a boat.

SECTION 865. 30.53 (1) (title) and (b) of the statutes are created to read:

30.53 (1) (title) CARD TO BE ON BOARD; EXCEPTION.

(b) *Registration card.* Any person operating a boat which is required to be covered by a registration issued under this chapter shall have the registration card available at all times for inspection on the boat unless the department determines the boat is of the use, size or type as to make the retention of the registration card on the boat impractical.

SECTION 866. 30.53 (2) of the statutes is renumbered 30.53 (1) (a) and amended to read:

30.53 (1) (a) (title) *Certificate of number card.* ~~The~~ Any person operating a boat which is required to be covered by a certificate of number required issued under this chapter shall be have the certificate of number card available at all times for inspection on the boat for which issued, whenever the boat is in use, unless the department determines the boat is of the use, size or type as to make the retention of the certificate of number card on the boat impractical.

SECTION 867. 30.53 (2) of the statutes is created to read:

30.53 (2) **DISPLAY OF STICKERS OR DECALS.** (a) *Certification stickers or decals.* Upon being issued a certificate of number card and certification stickers or decals, the owner of the boat shall attach or affix the stickers or decals to each side of the forward half of the boat in the manner prescribed by rules promulgated by the department. The owner shall maintain the certification stickers or decals in a legible condition at all times.

(b) *Registration stickers or decals.* Upon being issued a registration card and registration stickers or decals, the owner of the boat shall attach or affix the stickers or decals in the manner prescribed by rules promulgated by the department. The owner shall attach or affix the registration stickers or decals to the transom of the boat on each side of the federally documented name of the vessel in a manner so both stickers or decals are visible. The owner shall maintain the registration stickers or decals in a legible condition at all times.

(c) *Stickers or decals for boats owned by manufacturers and dealers.* Notwithstanding pars. (a) and (b), a manufacturer or dealer in boats, motors or trailers may attach or affix the certification or registration stickers or decals to removable signs to be temporarily but firmly mounted upon or attached to the boat while the boat is being tested or demonstrated or while the boat is being used in connection with the testing or demonstration of a motor or trailer.

(d) *Restriction on other stickers and decals.* No sticker or decal other than the certificate of number stickers or decals, stickers or decals provided by the department and stickers or decals authorized by reciprocity may be attached, affixed or displayed on either side of the forward half of a boat.

SECTION 868. 30.54 of the statutes is amended to read:

**30.54 (title) Transfer of ownership of boats with a certificate of number or registration.**

(1) **DUTY OF SELLER.** If the owner of a boat covered by a valid or expired certificate of number or registration issued by this state transfers all or any part of his or her interest in the boat, other than by the creation of a security interest, he or she shall ~~notify the department of the transfer and shall at the same time return~~ give the certificate of number card or the registration card to the ~~department~~ new owner.

(2) **DUTY OF PURCHASER.** Transfer of the ownership of a boat terminates the certificate of number or registration for the boat, except in the case of a transfer of a part interest which does not affect the transferor's right to operate the boat. The transferee shall make application for a new certificate of number or registration within 10 days after the date of purchase as prescribed by the department. Upon receipt of the application accompanied by the required fee, the department shall issue a new certificate of number card or registration card for the boat ~~but~~. Notwithstanding s. 30.52 (5) (a) 2 or (b) 2, the department shall not issue new certification stickers or decals or new registration stickers or decals if the fee specified under s. 30.52 (3) (h) rather than the appropriate fee specified under s. 30.52 (3) (b) to (g) is paid. The department shall not assign award a new identification number to the boat unless compliance with federal numbering regulations require requires otherwise.

SECTION 869. 30.55 of the statutes is amended to read:

**30.55 Notice of abandonment or destruction of boat or change of address.** (1) **DESTRUCTION OR ABANDONMENT.** If a boat covered by a certificate of number or registration issued by this state is destroyed or abandoned, the owner shall notify the department of ~~such~~ that fact within 15 days after the destruction or abandonment and shall at the same time return the certificate of number card or registration card to the department for cancellation.

(2) **CHANGE OF ADDRESS.** ~~Whenever any~~ If a person, after applying for or a certificate of number or registration or after receiving a certificate of number card or a registration card, moves from the address given in such the application or certificate, he shall the card, he or she, within 15 days ~~thereafter~~ after moving, shall notify the department in writing of both his the old and new address and of the any identification numbers awarded by any certificates held by him under this chapter.

SECTION 870. 30.92 (4) (b) 1 of the statutes is amended to read:

30.92 (4) (b) 1. To the greatest extent possible, state funds shall be used to match other funding sources. Other funding sources may include, but are not limited to, the federal land and water conservation fund, the U.S. army corps of engineers, U.S. economic development administration, ~~upper Great Lakes regional commission~~ and general revenue sharing.

SECTION 871. 31.19 of the statutes is amended to read:

**31.19 (title) Inspection of dams; orders.**

(2) (title) **DECENNIAL INSPECTION.** (a) (title) *Requirement.* ~~The~~ Except as provided under par. (b), at least once every 10 years the department shall examine at least once every 2 years conduct a detailed inspection of each large dam having a theoretical horsepower capacity of 750 horsepower or more and which is maintained or operated in or across navigable waters, and in addition thereto and upon.

(b) (title) *Exemption for federally inspected dams.* An inspection under par. (a) is not required if the dam is inspected periodically by or under the supervision of a federal agency in a manner which is acceptable to the department and if the results of each inspection are made available to the department.

(3) (title) **INSPECTION UPON COMPLAINT.** If the department receives a complaint in writing from the mayor of any a city, supervisor of any a town, or the president or trustee of any a village, which alleges that any a dam maintained or operated in or across any navigable or nonnavigable waters whether navigable or nonnavigable, or any a reservoir is in an unsafe condition, or if the department receives a complaint in writing from any a person which alleges that the person's property or any property under the person's control is endangered by a dam or reservoir, the department shall investigate or cause an investigation to be made of such the complaint, or the.

(4) (title) **DISCRETIONARY INSPECTION.** The department may, upon its own motion, examine inspect or cause an inspection to be made of any dam or reservoir, and, in any case, if it.

(5) (title) **ORDER; REDUCTION IN WATER LEVEL.** If the department finds pursuant to an investigation that any a dam or reservoir is not sufficiently strong, or is unsafe, and that the dam or reservoir is dangerous to life or property, it shall determine what alterations, additions or repairs are necessary to be made and shall order the owner, or person having control of such the dam or reservoir to cause such those alterations, additions or repairs to be made within a time to be limited by specified in the order, and the department. If the department finds pursuant to an investigation that a dam or reservoir is not sufficiently strong or is unsafe and that the dam or reservoir is dangerous to life or property, it may cause to be drawn off, in whole or in part, the water in said the reservoir or impounded by said the dam, when if it determines that such this action is necessary to prevent impending danger to persons or property.

SECTION 872. 31.19 (1) of the statutes is created to read:

31.19 (1) DETERMINATION OF DAM SIZE. For the purposes of this section and s. 31.20, a dam is considered to be a large dam if:

(a) It has a structural height of 25 feet or more and impounds more than 15 acre-feet of water; or

(b) It has a structural height of more than 6 feet and impounds more than 50 acre-feet of water.

SECTION 873. 31.20 of the statutes is repealed and recreated to read:

**31.20 Dam inspection fees.** The department shall adopt by rule a schedule of reasonable decennial inspection fees for dams required to be inspected under s. 31.19 (2). The department shall establish the amount of decennial inspection fees to offset the cost of conducting inspections under s. 31.19 (2). The department shall establish by rule the frequency and method of payment of decennial inspection fees. A person who owns a dam for which a decennial inspection fee is imposed shall pay that fee as required by the department. The department may assess an inspection cost fee to cover the cost of conducting an inspection under s. 31.19 (3) or (4). The department may establish by rule the frequency and method of payment of inspection cost fees. A person who owns a dam for which an inspection cost fee is imposed shall pay that fee as required by the department.

SECTION 874. 32.01 (1) of the statutes is amended to read:

32.01 (1) "Person" includes the state, a county, town, village, city, school district or other municipal corporation, a board, commission, including a commission created by contract under s. 66.30, corporation, or housing authority created under ss. 66.40 to 66.404, or redevelopment authority created under s. 66.431, ~~or solid waste recycling authority under ch. 232.~~

SECTION 875. 32.02 (14) of the statutes is repealed.

SECTION 876. 32.03 (4) of the statutes is repealed.

SECTION 877. 32.05 (8) of the statutes is amended to read:

32.05 (8) OCCUPANCY; WRIT OF ASSISTANCE; WASTE. ~~The condemnor shall allow any person occupying the property on the date that title vests in the condemnor to continue to occupy the property for at least one month after that date. The condemnor may not charge rent for any property occupied after the date that title vests in the condemnor by a person who occupied the property on that date. No person occupying real property may be required to move from a dwelling or move his or her business or farm without at least 90 days' written notice of the intended vacation date from the condemnor. The displaced person shall have rent-free occupancy of the acquired property for a period of 30 days, commencing with the next 1st or 15th day of the month after title vests in the condemnor, whichever is sooner. Any person occupying the property after the date that title vests in the condemnor shall be is liable to the condemnor for all waste committed or allowed by the occupant on the lands condemned during the occupancy. The condemnor shall have has the right to possession when the persons who occupied the acquired property on the date that title vests in the condemnor vacate, or one month after the date that title vests in the condemnor hold over beyond the vacation date established by the condemnor, whichever is sooner. This time period may be extended by the circuit court, if the court deems it reasonable under the circumstances, except that the condemnor may not require the persons who occupied the premises on the date title vested in the condemnor to vacate until a comparable replacement property is made available.~~ If the condemnor is denied the right of possession, the condemnor may, upon 48 hours' notice to the occupant, apply to the circuit court where the property is located for a writ of assistance to be put in possession. The circuit court shall grant the writ of assistance if all jurisdictional requirements have been complied with ~~and~~, if the award has been paid or tendered as

required and if the condemnor has made a comparable replacement property available to the occupants. In this subsection, "condemnor" has the meaning given in s. 32.185.

SECTION 878. 32.06 (9) (c) of the statutes is amended to read:

~~32.06 (9) (c) Upon application to the circuit court, any person occupying the property on the date that title vests in the condemnor may continue to occupy the property for a period not to exceed 4 months after that date, if the circuit court determines that such continued occupancy by the person is reasonably necessary under the circumstances. The condemnor may not charge rent for any property occupied after the date that title vests in the condemnor by a person who occupied the property on that date. No person occupying real property may be required to move from a dwelling or move his or her business or farm without at least 90 days' written notice of the intended vacation date from the condemnor. The person shall have rent-free occupancy of the acquired property for a period of 30 days commencing with the next 1st or 15th day of the month after title vests in the condemnor, whichever is sooner. Any person occupying the property after the date that title vests in the condemnor shall be is liable to the condemnor for all waste committed or allowed by the occupant on the lands condemned during the occupancy. The condemnor shall have has the right to possession when the persons who occupied the acquired property on the date that title vests in the condemnor vacate, or 4 months after the date that title vests in the condemnor hold over beyond the vacation date established by the condemnor, whichever is sooner. This time period may be extended by the circuit court, if the court deems it reasonably necessary under the circumstances, except that the condemnor may not require the persons who occupied the premises on the date title vested in the condemnor to vacate until a comparable replacement property is made available. If the condemnor is denied the right of possession, the condemnor may, upon 48 hours' notice to the occupant, apply to the circuit court where the property is located for a writ of assistance to be put in possession. The circuit court shall grant the writ of assistance if all jurisdictional requirements have been complied with and, if the award has been paid or tendered as required and if the condemnor has made a comparable replacement property available to the occupants. In this paragraph, "condemnor" has the meaning given in s. 32.185.~~

SECTION 879. 32.065 of the statutes is renumbered 32.29 and amended to read:

**32.29 False statements prohibited.** Any officer, ~~agents~~ agent or employe of a governmental body or corporation granted condemnation power under s. 32.02 (1) ~~and or~~ (3) to (14) (16) who intentionally makes or causes to be made a statement which he or she knows to be false to any owner of property concerning the condemnation of such property or to any displaced person concerning his or her relocation benefits under s. 32.19, 32.20, 32.25 or 32.26 or who fails to provide the information required under s. 32.26 (6) shall be fined not less than \$50 nor more than \$1,000, or imprisoned for not more than one year in the county jail or both.

SECTION 880. 32.07 (2) of the statutes is amended to read:

32.07 (2) The petitioner shall determine necessity if application is by the state or any commission, department, board or other branch of state government or by a city, village, town, county, board, commission, public officer, commission created by contract under s. 66.30, redevelopment authority created under s. 66.431, ~~solid waste recycling authority created under ch. 232 or~~ housing authority created under ss. 66.40 to 66.404 or for the right-of-way of a railroad or a street or interurban railway up to 100 feet in width, for a telegraph, telephone or other electric line, for the right-of-way for a gas pipeline, main or service or for easements for the construction of any elevated structure or subway for railroad, street or interurban railway purposes.

SECTION 881. 32.19 (2) (f) of the statutes is amended to read:

32.19 (2) (f) “Comparable dwelling” means one which, when compared with the dwelling being taken, is substantially equal concerning all major characteristics and functionally equivalent with respect to: the number and size of rooms and closets, area of living space, type of construction, age, state of repair, size and utility of any garage or other outbuilding, type of neighborhood and accessibility to public services and places of employment. “Comparable dwelling” shall meet all of the standard building requirements and other code requirements of the local governmental body and shall also be decent, safe and sanitary as defined by the department of industry, labor and human relations.

SECTION 882. 32.19 (4) (a) (intro.) and 1 of the statutes are amended to read:

32.19 (4) (a) *Owner-occupants*. (intro.) In addition to amounts otherwise authorized by this chapter, the condemnor shall make a payment, not to exceed ~~\$15,000~~ \$25,000, to any displaced person who is displaced from a dwelling actually owned and occupied, or from a mobile home site actually owned or occupied, by the displaced person for not less than 180 days prior to the initiation of negotiations for the acquisition of the property. For the purposes of this paragraph, a nonprofit corporation organized under ch. 181 may, if otherwise eligible, be considered a displaced owner. A displaced owner may elect to receive the payment under par. (b) 1 in lieu of the payment under this paragraph. Such payment includes only the following:

1. The amount, if any, which when added to the acquisition payment, equals the reasonable cost of a comparable replacement dwelling ~~which is decent, safe and sanitary as determined by the department of industry, labor and human relations, reasonably accessible to public services and places of employment and~~ available on the private market, as determined by the condemnor.

SECTION 883. 32.19 (4) (a) 4 of the statutes is renumbered 32.19 (4) (ag) and amended to read:

32.19 (4) (ag) (title) *Limitation*. Payment under ~~this section~~ par. (a) shall be made only to a displaced ~~owner~~ person who purchases and occupies a decent, safe and sanitary replacement dwelling not later than one year after the date on which ~~he~~ the person moves from the dwelling acquired for the project, or the date on which ~~he~~ the person receives payment from the condemnor, whichever is later.

SECTION 884. 32.19 (4) (am) of the statutes is repealed.

SECTION 885. 32.19 (4) (b) of the statutes is amended to read:

32.19 (4) (b) *Tenants and certain others*. In addition to amounts otherwise authorized by this chapter, the condemnor shall make a payment to any individual or family displaced from any dwelling which was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of the attempt to purchase such property. For purposes of this paragraph, a nonprofit corporation organized under ch. 181 may, if otherwise eligible, be considered a displaced tenant. ~~Such~~ Subject to the limitations under par. (bm), such payment shall be either:

1. The amount, if any, which is necessary to enable the person to lease or rent, when added to the rental cost of the acquired dwelling, equals the reasonable cost of leasing or renting a comparable dwelling available on the private market for a period not to exceed 4 years a decent, safe and sanitary dwelling meeting standards established by the department of industry, labor and human relations and adequate to accommodate the individual or family in area not generally less desirable in regard to public utilities, public and commercial facilities and places of employment, as determined by the condemnor, but not to exceed ~~\$4,000~~ \$8,000; or

2. If the person elects to purchase a comparable dwelling;

a. The amount determined under subd. 1 plus expenses under par. (a) 3, if the amount determined under subd. 1 is \$4,000 or more; or

b. The amount necessary to enable the person to make a downpayment, including incidental expenses described in par. (a) 3, on the purchase of a decent, safe and sanitary comparable dwelling meeting standards established by the department of industry, labor and human relations and adequate to accommodate the individual or family in areas not generally less desirable in regard to public utilities, public and commercial facilities and places of employment plus expenses under par. (a) 3, if the amount determined under subd. 1 is less than \$4,000, but not to exceed \$4,000, but if the amount exceeds \$2,000, the person must equally match the excess over \$2,000 in making the downpayment.

SECTION 886. 32.19 (4) (bm) of the statutes is renumbered 32.19 (4) (c) and amended to read:

32.19 (4) (c) *Additional payment.* If a comparable dwelling is not available within the monetary limits established in par. (a) or (b), the condemnor may exceed the monetary limits and make payments necessary to provide ~~replacement housing~~ a comparable ~~to that occupied by the displaced person at the initiation of negotiations for the acquisition of the property dwelling.~~

SECTION 887. 32.19 (4) (bm) of the statutes is created to read:

32.19 (4) (bm) *Limitations.* 1. Payment under par. (b) shall be made only to a displaced person who rents, leases or purchases a decent, safe and sanitary replacement dwelling and occupies that dwelling not later than one year after the date on which the person moves from the dwelling acquired for the project.

2. If the amount of payment determined under par. (b) 2 exceeds \$2,000, the displaced person must equally match the excess over \$2,000.

SECTION 888. 32.19 (4) (c) of the statutes is renumbered 32.196 and amended to read:

**32.196 Relocation payments not taxable.** ~~No~~ Except for reasonable net rental losses under s. 32.195 (6), no payments received under this section shall s. 32.19 or 32.195 may be considered as income for the purposes of ch. 71; nor ~~shall~~ may such payments be considered as income or resources to any recipient of public assistance and such ~~payment payments~~ shall not be deducted from the amount of aid to which the recipient would otherwise be entitled under any welfare law.

SECTION 889. 32.197 of the statutes is created to read:

**32.197 Waiver of relocation assistance.** An owner-occupant of property being acquired may waive his or her right to receive any relocation payments or services under this chapter if the property being acquired is not contiguous to any property which may be acquired by the condemnor and is not part of a previously identified or proposed project where it is reasonable to conclude that acquisition by the condemnor may occur in the foreseeable future. Prior to the execution of any waiver under this section, the condemnor shall provide to the owner-occupant, in writing, full information about the specific payments and services being waived by the owner-occupant. The department of industry, labor and human relations shall by rule establish procedures for relocation assistance waivers under this section to ensure that the waivers are voluntarily and knowledgeably executed.

SECTION 890. 32.25 (1) of the statutes is amended to read:

32.25 (1) Notwithstanding chapter 275, laws of 1931, or any other provision of law, except as provided under s. 85.09 (4g) and (4m), no condemnor may proceed with any property acquisition activities on any project which may involve acquisition of property and displacement of persons, business concerns or farm operations until the condemnor has filed in writing a relocation payment plan and relocation assistance service plan and

has had both such plans approved in writing by the department of industry, labor and human relations.

SECTION 903. 35.265 of the statutes is amended to read:

**35.265 State budget, copies.** The governor may issue not to exceed 1,000 copies of the state budget report and as many copies of the budget report in brief as are the governor determines to be necessary to equal the number of budget bills printed. The cost of these reports shall be charged to the department. After making the required distribution of the state budget report to the executive and legislative agencies and members of the legislature, the remaining copies may be ~~distributed~~ sold to individuals ~~upon payment of a fee of \$8 per report. Fees at a price which does not exceed the costs per copy of printing, postage and handling.~~ Revenues collected by the department under this section shall be deposited in the general fund.

SECTION 904. 35.58 of the statutes is repealed.

SECTION 905. 35.59 of the statutes is amended to read:

**35.59 Breach of printing contracts.** If a successful bidder ~~fails to enter into a printing contract and execute a bond as required the bid bond shall be forfeited to the state. If such~~ bidder or contractor enters upon the performance of a printing contract, and thereafter at any time during the term thereof refuses or neglects to comply with its terms and conditions or with the law relating to public printing, the bidder or contractor is liable to the state in damages to the amount of the difference between the cost of public printing under the printing contract and the cost thereof under any subsequent contracts let by the department. The attorney general, in all cases of damages and of forfeitures arising under this chapter, shall commence and prosecute to final judgment all necessary actions for the recovery thereof with costs, which when collected shall be paid into the state treasury.

SECTION 906. 35.60 of the statutes is amended to read:

**35.60 Reletting contracts.** If a successful bidder fails to execute a printing contract ~~with accompanying bond~~ pursuant to his preliminary agreement and accepted bid, the department shall let the ~~contracts~~ contract to the next lowest bidder, unless in its opinion the interest of the state requires that new proposals be received, in which case the department shall immediately proceed to advertise for new proposals as prescribed by this chapter. If the contractor refuses or neglects to execute the work according to law and the terms of his printing contract, the department shall declare such contract void ~~and his bond forfeited,~~ and shall forthwith advertise for bids as in the first instance for the remainder of the contract period. Such emergency public printing as must be had while so readvertising and reletting contracts may be procured by the department.

SECTION 907. 36.11 (17) (c) of the statutes is amended to read:

36.11 (17) (c) Sabbatical leave shall be granted for the purposes of enhancing teaching, course and curriculum development or conducting research or any other scholarly activities related to instructional programs within the field of expertise of the faculty member taking such leave.

SECTION 907m. 36.11 (17) (h) of the statutes is amended to read:

36.11 (17) (h) The number of instructional faculty eligible for sabbatical leave during the academic year may not exceed ~~4.5%~~ 3% of the unclassified faculty positions filled by members meeting the requirements under par. (a).

SECTION 908c. 36.25 (23) of the statutes is created to read:

36.25 (23) **ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS.** There is established a Robert M. La Follette institute of public affairs at the university of Wisconsin-Madison. The institute shall engage in research, public service and educational activities to advance the knowledge of public affairs and the application of that knowledge to the needs of this state.

Vetoed  
in Part

~~SECTION 908h. 36.25 (24) of the statutes is created to read:  
36.25 (24) TECHNICAL ASSISTANCE FOR INLAND LAKE PROTECTION OR REHABILITATION.  
The extension shall provide technical assistance to public inland lake protection and  
rehabilitation districts engaged in any phase of lake protection or rehabilitation activity.~~

SECTION 908j. 36.28 of the statutes is created to read:

**36.28 Medical school enrollment.** Beginning with the class entering the university of Wisconsin medical school in the 1984-85 academic year, and ending with the class entering the university of Wisconsin medical school in the 1987-88 academic year, the board shall reduce the size of the class by 2.5% each year as compared with the size of the class entering the medical school in the 1983-84 academic year, so as to ensure a 10% total reduction by the 1987-88 academic year. The board shall make every effort to ensure that the number of minority students enrolled at the medical school shall not be decreased as a result of the reduction in class size, including, if necessary, adjusting the proportion of nonresident enrollment.

SECTION 908n. 36.29 (1) of the statutes is amended to read:

36.29 (1) All gifts, grants, bequests and devises for the benefit or advantage of the system or any of its institutions, departments or facilities or to provide any means of instruction, illustration or knowledge in connection therewith, whether made to trustees or otherwise, shall be valid notwithstanding any other provision of this chapter except sub. (5) and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases; but no such income accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by ch. 881, the board may continue to hold such common stocks or other investments and exchange, invest or reinvest the funds of such gift, grant, bequest or devise in similar types of investments without being subject to the limitations and restrictions provided by law in other cases. No such investment shall knowingly be made in any company, corporation, subsidiary or affiliate which practices or condones through its actions discrimination on the basis of race, religion, color, creed or sex. Except as otherwise provided in this section, the board may invest not to exceed 75% of trust funds held and administered by them in common stocks, the limitation of 50% in s. 881.01 (2) to the contrary notwithstanding.

SECTION 908r. 36.29 (5) of the statutes is created to read:

36.29 (5) The board may not acquire or make a commitment to operate any golf course not owned by the board prior to the effective date of this subsection (1983), without specific authorization by the legislature.

SECTION 908t. 36.40 of the statutes is created to read:

Vetoed  
in Part

~~**36.40 Use of animals for research purposes.** The board shall adopt rules describing criteria for researchers to follow regarding humane treatment of animals for scientific research purposes. The board shall submit a draft of proposed rules under this section to the presiding officer of each house of the legislature not later than January 1, 1984.~~

SECTION 908w. 38.04 (16) of the statutes is created to read:

38.04 (16) INTERDISTRICT AGREEMENTS. The board shall adopt rules defining "jointly offered" for the purpose of s. 38.24 (3) (c) 1 and establishing criteria and procedures for determining hardship for the purpose of s. 38.24 (3) (c) 2.

SECTION 909. 38.12 (4) of the statutes is amended to read:

38.12 (4) PUBLICATION OF PROCEEDINGS. The proceedings of the district board meetings shall be published within 45 days after the meeting as a class 1 notice, under ch. 985, in a newspaper published in the district. If no newspaper is published in the district, the

proceedings may be publicized as the district board directs. The publication of the proceedings shall include a statement of ~~each receipt and expenditure exceeding \$100 except salaries, which may be listed~~ receipts and expenditures in the aggregate. The district board shall make a detailed record of all receipts and expenditures available to the public for inspection at each district board meeting and upon request.

SECTION 910. 38.12 (5m) of the statutes is amended to read:

38.12 (5m) ANNUAL BUDGET. The district board shall prepare its annual budget in compliance with ~~s. 38.29 and with~~ rules established by the board under s. 38.04 (11) (a). The district board shall submit an approved copy of its budget to the board by July 1 of each year and shall report any subsequent budget modification to the board within 30 days of approval of the modification by the district board.

SECTION 910m. 38.24 (1) (a) and (b) of the statutes are amended to read:

38.24 (1) (a) *Liberal arts collegiate transfer programs.* Uniform fees based on ~~25%~~ 27.5% of the statewide average operational costs of liberal arts collegiate transfer programs in district schools.

(b) *Post-secondary and vocational-adult programs.* Uniform fees based on not less than ~~10.5%~~ 12% of the combined estimated statewide operational cost of post-secondary, exclusive of collegiate transfer, and vocational-adult programs. The board shall maintain statewide uniformity in the program fees charged for post-secondary and vocational-adult credits. Students 62 years old and over shall be exempted from program fees under this paragraph in vocational-adult programs. Students enrolled in adult high school, adult basic education and English as a 2nd language courses shall be exempted from program fees under this paragraph.

SECTION 911m. 38.24 (3) (c) of the statutes is renumbered 38.24 (3) (c) (intro.) and amended to read:

38.24 (3) (c) (intro.) District boards may enter into interdistrict contractual agreements to waive, or establish interdistrict payments for, nonresident tuition charges to any Wisconsin residents resident who:

1. Is enrolled in vocational-adult courses or a jointly offered postsecondary program;  
or

2. Meets the hardship criteria established under s. 38.04 (16). The number of students for whom nonresident tuition charges may be waived in any school year under this subdivision is limited to 5 or 2% of the district's nonresident postsecondary student enrollment in the previous school year, whichever is greater. Agreements under this subdivision may not be used to reduce a district board's liability under par. (b).

(cm) A copy of any contractual agreement between districts under ~~this paragraph par. (c)~~ shall be submitted by the district boards to the state board ~~prior to~~ within 30 days after the effective date of ~~such~~ the agreement. ~~The district boards entering into an agreement under this paragraph shall notify the state board whenever the agreement is amended or terminated.~~ The district boards shall file a copy of any amendments to an agreement with the state board within 30 days after the effective date of the amendments and shall notify the board whenever the agreement is terminated within 30 days after the termination.

SECTION 912b. 38.28 (1m) (a) of the statutes is amended to read:

38.28 (1m) (a) "District aidable cost" means the annual cost of operating a vocational, technical and adult education district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under s. 38.14

~~(3), all fees collected under s. 38.24 (1), and driver education and chauffeur training aids and any expenditures which exceed the allowable budget determined under s. 38.29.~~

SECTION 912m. 38.28 (2) (b) 1 of the statutes is amended to read:

38.28 (2) (b) 1. The district's aidable cost shall be multiplied by ~~35%~~ the applicable percentage and this product shall be multiplied by the equalization index to determine state aids. In this subdivision, the "applicable percentage" is the percentage sufficient to generate total aid under this section that will fall within the range of 0.999 and 1.001 of the amount appropriated under s. 20.292 (1) (d), as determined by the board.

SECTION 912p. 38.28 (2) (b) 4 and (d) of the statutes are amended to read:

38.28 (2) (b) 4. The board shall make such adjustments in aid payments during the fiscal year as are necessary to reflect more current data under sub. (1m) and s. 20.292 (1) (d). Final adjustments of state aid payments, on the basis of actual enrollments and costs, ~~including the reduction of net aidable cost by any expenditures in excess of those authorized under s. 38.29,~~ shall be made from the following year's aid appropriation under s. 20.292 (1) (d).

(d) Notwithstanding par. (b), the board may withhold, suspend or reduce in whole or in part payment of state aid under this subsection to any district board whose program or educational personnel does not meet minimum standards set by the board or which violates this chapter or any rule established by the board under the authority of this chapter, ~~including a district board which has operated on an annual budget that exceeds the allowable budget under s. 38.29.~~ The board shall discontinue aids to those programs which are no longer necessary to meet needs within the state.

SECTION 912s. 38.28 (2) (dm) of the statutes is created to read:

38.28 (2) (dm) Notwithstanding par. (b), the board shall withhold state aid from any district board that fails to comply with a board determination under s. 38.24 (3) (b) within 60 days of the determination. The amount withheld shall be an amount equal to the district board's liability under s. 38.24 (3) (b) and shall be paid to the district board entitled to such payment.

SECTION 912sa. 38.28 (2) (e) of the statutes is amended to read:

38.28 (2) (e) Aids shall not be paid to ~~districts~~ a district board for any ~~vocational-adult programs conducted after September 1, 1975,~~ program unless the intended content of each course has been thoroughly described, and the program has been designated and approved by the state director and reviewed by the board. The board shall establish procedures to implement this subsection which shall enhance the district's ability to respond rapidly to the needs of its citizens.

SECTION 913i. 38.29 of the statutes is repealed.

SECTION 914. 38.51 (1) (g) of the statutes is created to read:

38.51 (1) (g) "Teaching location" means the area and facilities designated for use by a school required to be approved by the board under this section.

SECTION 915. 38.51 (2) of the statutes is amended to read:

38.51 (2) PURPOSE. The purpose of the board is to approve schools and courses of instruction for the training of veterans of the armed forces and war orphans receiving assistance from the federal government, protect the general public by inspecting and approving private trade, correspondence, business and technical schools doing business within this state whether located within or outside this state, changes of ownership or control of these schools, teaching locations used by these schools and courses of instruction offered by these schools and to regulate the soliciting of students for correspondence or classroom courses and courses of instruction offered by these schools.

SECTION 916. 38.51 (7) (g) of the statutes is amended to read:

38.51 (7) (g) Approve courses of instruction ~~and~~, schools, changes of ownership or control of schools and teaching locations meeting the requirements and standards established by the board and complying with rules established by the board and publish a list of ~~such~~ the schools and courses of instruction approved.

SECTION 917. 38.51 (10) (b) of the statutes is amended to read:

38.51 (10) (b) *Application*. Application for initial approval of a school or a course of instruction, approval of a teaching location, change of ownership or control of a school, renewal of approval of a school or reinstatement of approval of a school or course of instruction which has been revoked shall be made on a form furnished by the board and shall be accompanied by a fee set by the board, not to exceed \$500 the appropriate fee specified in par. (c), and such other information as the board deems necessary to evaluate the school in carrying out the purpose of this section.

SECTION 917m. 38.51 (10) (c) of the statutes is created to read.

38.51 (10) (c) *Fee schedule*. The following fee schedule applies to all applications under par. (b):

1. Initial approval of a school and renewal of approval of a school, \$200.
2. Approval of a teaching location, \$40.
3. Approval of a course of instruction, \$300.
4. Approval of a change of ownership or control of a school, \$150.

SECTION 918. 39.12 of the statutes is created to read:

**39.12 Nonstock corporation.** (1) The educational communications board may organize and maintain a nonstock nonprofit corporation under ch. 181 for the exclusive purpose of raising funds for the educational communications board to support the Wisconsin educational radio and television networks.

(2) The educational communications board shall enter into a contract with the corporation under sub. (1). The contract shall provide that the educational communications board may make use of the services of the corporation and that the educational communications board may provide administrative services to the corporation. The type and scope of any administrative services provided by the educational communications board to the corporation and the educational communications board employees assigned to perform the services shall be determined by the educational communications board. The corporation may neither employ staff nor engage in political activities.

(3) The educational communications board, the department of administration, the legislative fiscal bureau, the legislative audit bureau and the appropriate committee of each house of the legislature, as determined by the presiding officer, may examine all records of the corporation.

(4) The board of directors of any corporation established under this section shall consist of 5 members, including the executive director of the educational communications board and one member from each of the 4 categories of members of the educational communications board under s. 15.57 (1) to (4), elected by the educational communications board.

(5) Any corporation established under this section shall be organized so that contributions to it will be deductible from adjusted gross income under section 170 of the internal revenue code and so that the corporation will be exempt from taxation under section 501 of the internal revenue code and s. 71.01 (3) (a).

SECTION 919. 39.13 (2) of the statutes is amended to read:

39.13 (2) The executive director ~~shall~~ may employ, ~~with the approval of the educational communications board, such a deputy director and 19 professional staff,~~ outside the classified service, and ~~clerical and technical~~ such staff within the classified service as is

necessary. The executive director may employ additional professional staff for development and grant projects, outside the classified service, subject to s. 16.505.

SECTION 919m. 39.15 of the statutes is amended to read:

**Vetoed  
in Part**

**39.15 Aid for medical education.** As a condition to the release of funds under s. 20.250, one-third of the members of the board of trustees of the medical college of Wisconsin, inc., shall be nominated by the governor, and with the advice and consent of the senate appointed, for staggered 6-year terms expiring on May 1 and the college shall give first preference in admissions to residents of this state. The legislative audit bureau shall biennially post audit expenditures under s. 20.250 so as to assure the propriety of expenditures and compliance with legislative intent. State affirmative action policies, rules and practices shall be applied to the medical college of Wisconsin, inc. consistent with their application to state agencies. As a condition to the release of funds under s. 20.250, ~~beginning in the 1983-84 academic year the number of nonresident students enrolled at the medical college of Wisconsin, inc., shall not be increased to offset the statutory decrease in the number of resident students funded under s. 20.250 (1) (a) by 1983 Wisconsin Act ... (this act).~~ In addition, as a condition to the release of funds under s. 20.250, the medical college of Wisconsin, inc., shall make every effort to promote minority student access to the college so as to ensure that the number of minority students enrolled at the college in the 1984-85 academic year and thereafter is not reduced as a result of the decrease in the number of students funded under s. 20.250 (1) (a) by 1983 Wisconsin Act ... (this act).

SECTION 920. 39.155 (1) of the statutes is amended to read:

39.155 (1) Effective July 1, 1977, all funds appropriated to the medical college of Wisconsin, inc. under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each Wisconsin resident student enrolled at the college who is paying full tuition. A student's qualification as a resident of this state shall be determined by the higher educational aids board ~~using the same procedure established under s. 39.46 (4) in accordance with s. 36.27,~~ so far as applicable.

SECTION 921. 39.155 (2) of the statutes is repealed and recreated to read:

39.155 (2) On or before January 15 and September 15 of each year, the medical college of Wisconsin, inc., shall submit to the department of administration for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such payments may be made to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), for any individual student.

SECTION 921e. 39.28 (3) of the statutes is renumbered 39.28 (3) (a).

SECTION 921m. 39.28 (3) (b) of the statutes is created to read:

39.28 (3) (b) On January 1 and July 1, 1984, and semiannually thereafter, the board shall report to the joint committee on finance and the joint committee on audit on the board's loan collection activities and efforts to develop collection policies to improve program performance through changes in data processing and program review.

SECTION 921s. 39.29 of the statutes is amended to read:

**39.29 Executive secretary.** An executive secretary shall be appointed ~~outside the classified service by the board~~ by the governor to serve at his or her pleasure.

SECTION 923. 39.32 (3) (f) of the statutes is repealed.

SECTION 924. 39.32 (11) of the statutes is created to read:

39.32 (11) (a) In lieu of the procedure under ch. 812, the board, on behalf of the corporation under s. 39.33, or the corporation, on its own behalf, may certify the department of administration to deduct money from a state employee's earnings. The board

shall specify an amount, not to exceed 25% of the employe's disposable earnings, as defined in s. 812.01 (6), to be deducted on a continuing basis until the amount certified by the board or corporation has been paid. The department of administration shall remit moneys deducted to the board or the corporation.

(b) The procedure in this section may be used only if the amount owed to the board or corporation is reduced to a judgment. At least 30 days prior to certification, the board or corporation shall notify the debtor under s. 879.05 (2) or (3) of the intent to certify the debt to the department of administration and of the debtor's right to a contested case hearing before the board under s. 227.064. If the debtor requests a hearing within 20 days after receiving notice, the board shall notify the department of administration which shall not make deductions under par. (a) until a decision is reached under s. 227.10 or the case is otherwise concluded.

(c) The department of administration shall prescribe the manner and form for certification of debts by the board or corporation under this subsection.

SECTION 924m. 39.325 (1) of the statutes is amended to read:

39.325 (1) There is established, to be administered by the board, a Wisconsin health education loan program under P.L. 94-484, on July 29, 1979, for in order to provide financial aid to medical and dentistry students enrolled in the university of Wisconsin medical school, the medical college of Wisconsin or Marquette university school of dentistry, in order to provide financial aid to students of dentistry and to provide incentives to physicians who graduate from either the university of Wisconsin medical school or the medical college of Wisconsin to establish practices in this state in certain medical specialties and to establish practices in areas of this state which are designated as medically underserved under s. 39.377 (3).

~~SECTION 924n. 39.33 (4) of the statutes is created to read:~~

~~39.33 (4) The Wisconsin higher education corporation council created under s. 15.677 (2) shall review the program activities of the corporation created under this section and advise the board of directors of the corporation on administrative and financial matters.~~

**Vetoed  
in Part**

SECTION 925. 39.37 (4) of the statutes is amended to read:

39.37 (4) Revenue obligations issued under this section shall not exceed ~~\$240,000,000~~ \$295,000,000 in principal amount, excluding obligations issued to refund outstanding revenue-obligation notes.

SECTION 926. 39.374 (4) of the statutes is amended to read:

39.374 (4) Revenue obligations issued under this section shall not exceed ~~\$37,000,000~~ \$92,000,000 in principal amount, excluding obligations issued to refund outstanding revenue-obligation notes.

SECTION 926b. 39.377 of the statutes is repealed.

SECTION 926d. 39.435 (1) of the statutes is amended to read:

39.435 (1) There is established, to be administered by the board, a grant program for postsecondary resident students enrolling enrolled at least half-time and registered as freshmen, sophomores, juniors or seniors in accredited, ~~nonprofit public~~ institutions of higher education in this state. Except as authorized under subs. (4) and (5), such grants shall be made only to students enrolling enrolled in nonprofit public institutions in this state.

SECTION 926h. 39.435 (2) of the statutes is repealed and recreated to read:

39.435 (2) (a) The board shall adopt rules establishing policies and procedures for determining dependent and independent status and for the calculation of expected parental and student contributions. The rules shall be consistent with generally accepted definitions and nationally approved needs analysis methodology.

(b) Grants paid to dependent students under this section shall be determined as follows:

1. Annually, the board shall establish equity award levels for students enrolled in the university of Wisconsin system and for students enrolled in vocational, technical and adult education schools.

2. From the equity levels established under subd. 1, the board shall subtract the amount of the expected parental contribution and the expected student contribution to determine the amount of the student's grant.

(c) Grants paid to independent students shall be determined by the board consistent with the rules and procedures under pars. (a) and (b).

SECTION 926p. 39.435 (3) of the statutes is amended to read:

39.435 (3) Grants under this section shall ~~be based on financial need, but not be less than \$200 during any one academic year, unless the joint committee on finance, acting under s. 13.10, approves an adjustment in the amount of the minimum grant.~~ Grants under this section shall not exceed \$1,800 during any one academic year. The board shall, by rule, establish a minimum grant amount, uniform need determination procedures, a reporting system to periodically provide student economic data, and shall adopt other rules as the board deems necessary to assure uniform administration of the program.

SECTION 926t. 39.435 (6) of the statutes is repealed.

SECTION 926v. 39.47 (2) of the statutes is amended to read:

39.47 (2) The agreement under this section shall provide for the waiver of nonresident tuition for a resident of either state who is enrolled as ~~an undergraduate, graduate or professional student at in a public institution of higher education operated wholly by public vocational school located in the other state.~~ The agreement shall also establish a reciprocal fee structure for residents of either state who are enrolled in public institutions of higher education, other than vocational schools, located in the other state. The reciprocal fee shall be the average academic fee that would be charged the student at a comparable public institution of higher education located in his or her state of residence, as specified in the agreement. The agreement shall take effect on July 1, ~~1979~~ 1983, and extend through the academic year ending June 30, ~~1989~~ 1991. The agreement shall provide for a biennial review of the costs, charges and payments associated with the agreement. The agreement is subject to the approval of the joint committee on finance under s. 39.42.

SECTION 926x. 39.47 (4) of the statutes is repealed.

SECTION 927. 40.02 (54) (d) of the statutes is repealed.

SECTION 927g. 40.04 (2) of the statutes is amended to read:

40.04 (2) An administrative account shall be maintained within the fund from which administrative costs of the department, including charges for services performed by others and for payments required of the department by the state of Wisconsin investment board, shall be paid. Except as otherwise provided in this section, investment income of this fund and moneys received for services performed or to be performed by the department shall be credited to this account. The secretary shall estimate the administrative costs and the payments to the state of Wisconsin investment board to be incurred by the department in each fiscal year and shall also estimate the investment income which will be credited to this account in the fiscal year. The estimated administrative costs and investment board payments less the estimated investment income shall be equitably allocated by the secretary, with due consideration being given to the derivation and amount of the investment income, to the several benefit plans administered by the department. In determining the amount of the allocation, adjustments shall be made for any difference in prior years between the actual administrative costs, investment board payments

and investment income from that originally estimated under this subsection. An amount equal to the adjusted allocated costs shall be transferred to this account from the investment earnings credited to the respective benefit plan accounts and from payments by the respective insurers for administrative services.

SECTION 928. 40.04 (3) (intro.) of the statutes is amended to read:

40.04 (3) (intro.) A fixed retirement investment trust and a variable retirement investment trust shall be maintained within the fund under the jurisdiction and management of the investment board for the purpose of managing the investments of the retirement reserve accounts and of any other accounts of the fund as determined by the board. Within the fixed retirement investment trust there shall be maintained a transaction amortization account and a current income account, and any other accounts as are established by the board or the investment board. A current income account shall be maintained in the variable retirement investment trust. All costs of owning, operating, protecting and acquiring property in which either trust has an interest shall be charged to the current income or transaction amortization account of the trust having the interest in the property.

SECTION 929. 40.05 (2) (h) of the statutes is renumbered 40.05 (2) (h) 1 and amended to read:

40.05 (2) (h) 1. ~~Any~~ Except as provided in subd. 2, any school district created from the territory of a former joint city school district may elect to be liable for its proportionate share, as determined by the board, of the liability of the city under par. (b) on the date the ~~independent~~ school district is ~~or was~~ created.

SECTION 930. 40.05 (2) (h) 2 of the statutes is created to read:

40.05 (2) (h) 2. Notwithstanding subd. 1, each school district created under laws of 1981, chapter 340, from the territory of a former city school district or of a former joint city school district is liable for its proportionate share, as determined by the board, of the liability of the city under par. (b) on the date the school district is created.

SECTION 930b. 40.05 (4) (a) 1 of the statutes is amended to read:

40.05 (4) (a) 1. For insured part-time employes, including those in project positions as defined in s. 230.27 (1), who work less than 1,044 hours per year, an amount equal to ~~45% of the gross premium for the standard health insurance coverage established by the group insurance board~~ 50% of the employer contribution under subd. 2.

SECTION 930d. 40.05 (4) (a) 2 of the statutes is amended to read:

40.05 (4) (a) 2. For eligible employes not specified in subd. 1, ~~90% of the gross premium for the standard health insurance coverage established by the group insurance board plan offered to state employes by the group insurance board or 105% of the gross premium of the alternative qualifying plan offered under s. 40.03 (6) that is the least costly qualifying plan offered to state employes in the employe's employment or residence area, whichever is lower, but not more than the total amount of the premium.~~ Qualifying health insurance plans and the designation of employment areas shall be determined in accordance with standards established by the group insurance board.

SECTION 930e. 40.51 (3) of the statutes is amended to read:

40.51 (3) The health insurance contract shall establish provisions by which an insured employe or dependents may continue group coverage or convert group coverage to a nongroup policy which, at a minimum, comply with s. 632.897.

SECTION 930m. 40.51 (6) of the statutes is created to read:

40.51 (6) This state shall offer to all of its employes at least 2 insured or uninsured health care coverage plans providing substantially equivalent hospital and medical benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if those organizations are determined

by the group insurance board to be available in the area of the place of employment and are approved by the group insurance board.

~~SECTION 930s. 40.52 (1) (c) of the statutes is created to read:~~

~~40.52 (1) (c) Coverage of any diagnostic or treatment service or procedure by a licensed chiropractor within the scope of the chiropractor's professional license, if the plan would cover the same or a similar service or procedure when performed by a licensed physician or osteopath, even though different nomenclature is used to describe the service or procedure and its effects on the patient. This paragraph does not:~~

**Vetoed  
in Part**

- ~~1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis.~~
- ~~2. Require the plan to provide coverage for physician or chiropractic services of a nonsurgical nature if the plan's coverage of physicians' services is otherwise limited to surgical benefits only.~~
- ~~3. Require the plan to provide coverage for physician or chiropractic services rendered to a person who is not a registered bed patient in a hospital if the plan's coverage of physicians' services is limited to services provided to a registered bed patient in a hospital only.~~

SECTION 931. 43.24 (3m) of the statutes is created to read:

43.24 (3m) If the appropriation under s. 20.255 (1) (e) in any one year is insufficient to pay the full amount under sub. (1), state aid payments shall be prorated among the library systems entitled to such aid.

SECTION 931m. 43.54 (1) (d) of the statutes is amended to read:

43.54 (1) (d) No compensation shall be paid to the members of a library board for their services, but they except as follows:

1. Members may be reimbursed for their actual and necessary expenses incurred in performing duties outside the municipality if so authorized by the library board.

SECTION 931r. 43.54 (1) (d) 2 of the statutes is created to read:

43.54 (1) (d) 2. Members may receive per diem, mileage and other necessary expenses incurred in performing their duties if so authorized by the library board and the municipal governing body.

SECTION 932. 43.64 (2) of the statutes is amended to read:

43.64 (2) Any city, town, village or school district in a county levying a tax for a county library under sub. (1) shall, upon written application to the county board of the county, be exempted from the tax levy, if the city, town, village or school district making the application expends for a library fund during the year for which the tax levy is made a sum at least equal to the sum which it would have to pay toward the county tax levy. For the purposes of this subsection, "library fund" means the funds raised by the city, town, village or school district by tax levy or appropriation under s. 43.52 (1) ~~or the funds expended by the city, town, village or school district under an agreement with another municipality under s. 43.60 (2).~~

SECTION 932g. 44.01 (2) of the statutes is amended to read:

44.01 (2) The historical society may adopt, and change, a seal, a constitution, bylaws and rules, and elect such officers as the constitution or bylaws prescribe. ~~The composition and selection of the board of curators, and eligibility requirements for membership in the historical society shall be determined by the constitution and bylaws.~~ There shall continue to be a board of curators for governing the historical society with powers substantially the same as at present.

SECTION 932r. 44.01 (3) of the statutes is repealed.

SECTION 933. 44.02 (12) (a) and (c) of the statutes are consolidated, renumbered 44.53 (1) (g) and amended to read:

44.53 (1) (g) Arrange and schedule ~~the painting of~~ the portrait of the governor or any former governor. ~~(e) Costs incurred under pars. (a) and (b) this paragraph shall be charged to the appropriation under s. 20.245 (1) (fb) 20.215 (1) (c) up to a limit of \$10,000 per portrait. Costs in excess of \$10,000 per portrait may be charged to the appropriation under s. 20.245 (1) (fb) 20.215 (1) (c) only with the prior approval of the joint committee on finance.~~

SECTION 934. 44.02 (12) (b) of the statutes is repealed.

SECTION 935. 44.02 (12) (d) of the statutes is renumbered 44.02 (12) and amended to read:

44.02 (12) Be the custodian of the official series of the ~~painter~~ portraits of the governors of Wisconsin under s. 44.53 (1) (g) and maintain the portraits in proper condition. No person may retouch, restore or alter any such portrait while the artist is alive, other than the artist or a person working under the artist's direction or authorization. The society may permit any or all of the portraits to be exhibited in such state buildings for such periods of time as it deems feasible.

SECTION 935n. 44.12 (1) of the statutes is amended to read:

44.12 (1) The state farm and craft museum, located at Nelson Dewey state park, ~~shall~~ may be developed by cooperation of the department of natural resources, the society, and such other agencies as may be interested therein in accordance with such arrangements as the department of natural resources and society ~~shall~~ agree upon.

SECTION 935p. 44.20 of the statutes is created to read:

**44.20 Division of historic sites.** (1) The administrator of the division of historic sites shall operate and maintain the historic sites known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline Island and Old World Wisconsin. The historical society shall provide technical assistance upon request of the administrator.

(2) No historic site may be closed without specific authorization to do so from the legislature and the governor.

(3) Each historic site under sub. (1) shall establish an endowment trust fund. The administrator of the division of historic sites shall administer each endowment trust fund with the advice and assistance of the appropriate trust fund advisory committee established under par. (b). He or she may establish the endowment trust funds at a local financial institution.

(b) The administrator of the division of historic sites shall establish a trust fund advisory committee for each historic site under sub. (1). Each committee shall consist of the administrator of the division of historic sites, and one member of the board of curators and 3 public members appointed by the division administrator. The committees shall assist the division of historic sites in fund raising activities for the endowment trust funds.

(c) Any interest accumulating in a historic site's endowment trust fund may be used only for the operation, maintenance and improvement of that historic site ~~and may be included under sub. (4) (a).~~

~~(4) (a) Each historic site under sub. (1) shall generate in each fiscal year at least 50% of its total operating expenditures for that fiscal year, excluding capital expenditures, supplies and utilities, through gifts, grants, admission fees and any interest accumulating in the historic site's endowment trust fund, established under sub. (3) (a), in that fiscal year.~~

Vetoed  
in Part

**Vetoed  
in Part**

~~(b) Beginning on February 1, 1985, and biennially thereafter, the administrator of the division of historic sites shall submit a report to the joint committee on finance regarding the condition of the historic sites program. The report shall state whether the historic sites have complied with the requirement under par. (a). If any historic site has failed to comply with the requirement under par. (a), the report shall include recommendations on methods to meet the requirement, including operational modifications, increased utilization of local volunteers, joint operation of the site with a nonprofit corporation or closing the site.~~

SECTION 936. 44.22 (3) of the statutes is amended to read:

44.22 (3) OFFICER. The director of the society or his or her designee shall serve as the state historic preservation officer.

SECTION 937. 45.03 of the statutes is repealed.

SECTION 938. 45.04 of the statutes is repealed.

SECTION 939. 45.30 (2) of the statutes is amended to read:

45.30 (2) Whenever an application to determine mental illness, alcoholism or drug dependence is made as prescribed by s. 51.20, the court shall make such inquiry as may be necessary and proper to ascertain whether the alleged mentally ill, alcoholic or drug dependent person is eligible for treatment in a veterans administration facility, ~~and shall notify the department of veterans affairs of the pendency of such action and of any commitment.~~

SECTION 940. 45.351 (2) (a) of the statutes is amended to read:

45.351 (2) (a) The department may lend any veteran not more than \$3,000 to be used for the purchase of a business or business property or the repairing of or adding to his or her home or business property, the construction of a garage, the education of the veteran or his or her children or to provide essential economic assistance, ~~where the veteran's need is established to the satisfaction of the department and he or she is unable to meet that need from his or her own resources or available credit upon manageable terms. Each applicant shall provide the department with statements from at least 2 conventional lending institutions showing that the institution will not grant credit to the applicant upon manageable terms before the department may approve a loan to the applicant under this section if the department determines that the veteran satisfies the need requirements established by the department by rule. The need requirements may include, but are not limited to, consideration of the veteran's resources and credit available upon manageable terms.~~ The department may prescribe loan conditions, but the interest rate shall be 3% per year and the term shall not exceed 15 years. Loan expense may be charged to the veteran. The department may execute necessary instruments, collect interest and principal, compromise indebtedness, sue and be sued, post bonds and write off indebtedness which it deems uncollectible. Where any loan under this section is secured by a real estate mortgage, the department may exercise the rights of owners and mortgagees generally and the rights and powers set forth in s. 45.72. Interest and repaid principal shall be paid into the veterans trust fund. The department may lend not more than \$3,000 to any veteran's surviving spouse, whether remarried or not, or to the parent of any deceased veteran's children for the education of such minor or dependent children if such surviving spouse or parent is a resident of and living in this state on the date of application.

SECTION 941. 45.354 (1) of the statutes is repealed.

SECTION 942. 45.354 (2) of the statutes is renumbered 45.354.

SECTION 943. 45.37 (2) (f) of the statutes is amended to read:

45.37 (2) (f) *Assets*. Prior to June 29, 1974, reports or has total assets under \$1,000, unless prior to admission to the home the applicant turns over all assets in excess of \$1,000 to the department in prepayment for care and maintenance actually provided by

the home during the period of residence. After June 29, 1974, a veteran may be admitted to the home if he reports or has total assets of less than the maximum permitted under ss. 49.45 and 49.46 and rules adopted thereunder, unless prior to admission to the home the applicant turns over all assets in excess of such maximum to the department in prepayment for care and maintenance actually provided by the home during the period of residence. Property or any interest therein conveyed or disposed of by the applicant within 5 ~~2~~ years immediately prior to application for admission by gift or for less than adequate consideration shall be considered assets upon admission to the extent of the value of the gift or to the extent consideration therefor was inadequate unless such assets were conveyed to the state or unless it is determined by the department that the conveyance or disposal of such assets had no relation to prospective entrance into the home. All such assets turned over to the department shall be converted to cash as soon as practicable after the applicant is admitted to membership but, if the applicant's homestead is occupied by his legal dependents as their sole residence, the department shall make such homestead and household furniture and fixtures therein available to them for as long as it is so occupied, and such legal dependents shall be responsible for all expenses incidental to such occupancy and use. If such expenses incidental to such occupancy and use are not paid by such legal dependents, including without limitation because of enumeration, real estate taxes, special assessments, insurance premiums, mortgage instalment payments, and payment for repairs, in its sole discretion the department may pay such expenses from the appropriation in s. 20.485 (1) (h).

SECTION 943m. 45.37 (16) (a) of the statutes is amended to read:

45.37 (16) (a) Excess assets paid to the department under sub. (2) (f) and the interest therefrom and all income paid into the general fund of the state under sub. (9) and the interest therefrom shall constitute a member's prepaid care account.

SECTION 944. 45.37 (16) (c) of the statutes is amended to read:

45.37 (16) (c) In the event a member's prepaid care account balance is insufficient to pay the full monthly cost of care and maintenance, payment shall be made as provided in par. (b) to the extent of the prepaid care account balance, ~~but no~~ and any deficit resulting shall be carried forward and charged against new accruals to such member's prepaid care account which result from liquidation of assets or income adjustment payments.

SECTION 947. 45.43 (5) and (6) of the statutes are repealed and recreated to read:

45.43 (5) DUTIES. The county veterans' service officer shall:

(a) Advise persons living in the service officer's county who served in the U.S. armed forces regarding any benefits to which they may be entitled or any complaint or problem arising out of such service and render to them and their dependents all possible assistance.

(b) Make such reports to the county board as the county board requires.

(c) Cooperate with federal and state agencies which serve or grant aids or benefits to former military personnel and their dependents.

(d) Furnish information about veterans' burial places within the county as required by s. 45.42 (2).

(6) OFFICE SPACE AND ASSISTANTS. The county board shall provide the county veterans' service officer with office space, clerical assistance and any other needs which will enable the officer to perform the duties under sub. (5). The county board may appoint assistant county veterans' service officers who shall be persons who served under honorable conditions in the U.S. armed forces during a war period specified under s. 45.35 (5).

SECTION 948. 45.79 (7) (a) 3 of the statutes is amended to read:

45.79 (7) (a) 3. a. All costs incurred by the department to meet obligations arising from loans funded under s. 45.79 (5) (c), 1973 stats, or sub. (6) (b), ~~and costs; and~~

b. Costs incidental to the exercise of powers under s. 45.72 in relation to properties funded by loans made under this section; and

SECTION 949. 45.79 (7) (a) 3. c and d of the statutes are created to read:

45.79 (7) (a) 3. c. Costs relating to revenue obligations issued under sub. (6) (c), other than issuance costs; and

d. Costs relating to loans funded from the proceeds of revenue obligations issued under sub. (6) (c), if payment is recommended by the department and approved by the department of administration.

~~SECTION 949. 45.80 (4) (a) 1 of the statutes is amended to read:~~

~~45.80 (4) (a) 1. Each loan made under this section shall be evidenced by a promissory instalment note and, unless otherwise provided under subd. 2, secured by a mortgage on the real estate in respect to which the loan is granted. Such Except as provided in subd. 1m, the mortgage may be junior and subject to not more than one prior mortgage, and, except for any such prior mortgage, must have priority over all liens upon the mortgaged premises and the buildings and improvements thereon, except tax and special assessment liens filed after the recording of the mortgage.~~

**Vetoed  
in Part**

~~SECTION 949x. 45.80 (4) (a) 1m of the statutes is created to read:~~

~~45.80 (4) (a) 1m. A loan under this section for a purpose under s. 45.76 (2) (a) or (b) may be secured by a mortgage on the real estate for which the loan was made which is junior and subject to 2 prior mortgages, if one of the prior mortgages is a 2nd mortgage to the secretary of the federal department of housing and urban development for the purpose of subsidizing payments on the first mortgage on the real estate. No loan may be made under this subdivision after June 30, 1987.~~

SECTION 949y. 46.014 (4) of the statutes is created to read:

46.014 (4) REPORTS. At least annually, the secretary shall report to the presiding officer of each house of the legislature concerning activities of community action agencies under s. 46.30 and their effectiveness in promoting social and economic opportunities for poor persons.

SECTION 950. 46.03 (7m) of the statutes is amended to read:

46.03 (7m) FOSTER CARE. For the federal fiscal year years commencing October 1, ~~1983 1984, and October 1, 1985, respectively,~~ ensure that there are no more than ~~4,356 4,266 and 4,178~~ children in foster care placements for more than 24 months, consistent with the best interests of each child. Services provided in connection with this requirement shall comply with the requirements under P.L. 96-272.

SECTION 950m. 46.03 (31) of the statutes is created to read:

46.03 (31) PRISON INDUSTRIES. Report to the joint committee on finance with a proposal to address negative cash balances associated with closed industries or other corrections programs through the use of moneys appropriated under s. 20.435 (3) as of the date of the proposal.

SECTION 950n. 46.03 (32) of the statutes is created to read:

46.03 (32) REIMBURSEMENT TO VISITING FAMILIES. The department may reimburse families visiting girls at Lincoln Hills. If the department decides to provide the reimbursement, it shall establish criteria for the level of reimbursement, which shall include family income and size and other relevant factors.

SECTION 950p. 46.03 (33) of the statutes is created to read:

46.03 (33) RELIEF; AMERICAN INDIANS. The department may negotiate and enter into an agreement with any appropriate agency of the federal government for provision of relief to needy American Indians.

SECTION 951. 46.031 (2) (c) 2 of the statutes is amended to read:

46.031 (2) (c) 2. The department shall annually submit to the county board of supervisors or combination of county boards a proposed written contract incorporating the coordinated plan and budget as approved by the department and such other administrative requirements as necessary. The proposed contract shall contain the approved budget and the allocation of funds as determined by the approved coordinated plans and budgets. The contract as approved may contain conditions of participation consistent with federal and state law ~~but may not include the cost for administering income maintenance programs~~. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors or combination of county boards shall approve the coordinated plan and budget and the contract before January 1 of the year in which it takes effect unless the department grants an extension. The county board of supervisors or combination of county boards may designate an agent to approve addenda to any contract after the contract has been approved.

SECTION 951m. 46.031 (3) (a) of the statutes is amended to read:

46.031 (3) (a) *Citizen advisory committee*. Except as provided in par. (b), the county board of supervisors of each county or the boards of 2 or more counties jointly shall establish a citizen advisory committee to the public welfare or social services departments and boards listed in sub. (1) (a). The citizen advisory committee shall advise in the formulation of the coordinated plan and budget under sub. (2) (a). Membership on the committee shall be determined by the county board or boards of supervisors establishing it and shall include representatives of those persons receiving services, providers of service and citizens. A majority of the members of the committee shall be citizen and service consumers. At least one member of the committee shall be chosen from the governing or administrative board of the community action agency serving the county or counties under s. 46.30, if any. The committee's membership may not consist of more than 25% county supervisors, nor of more than 20% service providers. The chairperson of the committee shall be appointed by the county board establishing it. In the case of a multicounty committee, the chairperson shall be nominated by the committee and approved by the county boards establishing it. The county board of supervisors or the boards of 2 or more counties acting jointly may designate an agent to determine the membership of the committee and to appoint the committee chairperson or approve the nominee.

SECTION 952. 46.032 of the statutes is amended to read:

**46.032 Income maintenance administration.** County public welfare departments organized under ss. 46.22 and 49.51 shall annually enter into a ~~separate~~ contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 46.23, 49.046, 49.19 and 49.45 to 49.47 when so appointed by the department. Contracts created under this section control the distribution of payments under s. 20.435 (4) (de) 1. The department may reduce its payment to any county under s. 20.435 (4) (de) 1 if federal reimbursement is withheld due to audits, quality control samples or program reviews.

SECTION 953. 46.036 (4) (c) of the statutes is amended to read:

46.036 (4) (c) Unless waived by the department, biennially, or annually if required under federal law, provide the purchaser with a certified ~~annual~~ financial and compliance audit report. The audit shall follow standards that the department prescribes.

SECTION 953g. 46.043 (6) of the statutes is created to read:

46.043 (6) This section does not apply to the construction or establishment of any new metropolitan correctional institution, as defined under s. 46.0435 (1), or to activities or actions subject to s. 46.0435 or 1983 Wisconsin Act .... (this act), section 2020 (32m).

SECTION 953h. 46.0435 of the statutes is created to read:

**46.0435 New metropolitan correctional institution; review; injunctive relief.** (1) DEFINITION. In this section, "new metropolitan correctional institution" means any correctional institution in a city having a population of 500,000 or more the site for which is designated by the legislature by statute on or after the effective date of this section (1983), but prior to January 1, 1985.

(2) JUDICIAL REVIEW. Any person aggrieved by a department's decision relating to the construction, expansion or establishment of any new metropolitan correctional institution because of the department's failure to comply with s. 1.11 or 1983 Wisconsin Act .... (this act), section 2020 (32m) may seek judicial review. The review procedure under ch. 227 applies except the review shall be given preference over other cases.

(3) INJUNCTIONS AND OTHER REMEDIES. Any court petitioned to grant an injunction, temporary restraining order, stay or other provisional remedy or any extraordinary remedy with respect to a department's decision under sub. (2) may grant the remedy or other relief only if the petitioner proves by clear and convincing evidence that any defects in a department's compliance with s. 1.11 or 1983 Wisconsin Act .... (this act), section 2020 (32m) cannot be remedied during the construction phase of the project.

SECTION 953m. 46.045 of the statutes is amended to read:

**46.045 Community correctional residential centers.** The department may establish and operate community correctional residential centers. The secretary may allocate and reallocate existing and future facilities as part of these centers. The community correctional residential centers shall be institutions as defined in s. 46.03 and shall be state prisons as defined in s. 53.01. Inmates from Wisconsin state prisons may be transferred to these institutions and they shall be subject to all laws pertaining to inmates of other penal institutions of the state. Officers and employes of the institutions shall be subject to the same laws as pertain to other penal institutions. Inmates shall not be received on direct commitment from the courts. In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities at centers initially established prior to the effective date of this section (1983), shall not be subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place.

SECTION 953p. 46.05 (1o) of the statutes is created to read:

46.05 (1o) (a) In addition to the institutions under sub. (1), the department shall establish a correctional institution located in Milwaukee in the area bounded on the north by highway I 94, on the south and west by the Menominee river and on the east by 35th street on property owned by the Milwaukee road railroad on March 28, 1983. The department may acquire additional land owned by the Milwaukee road railroad on March 28, 1983, on the west and south sides of and contiguous to the Menominee river. The department may proceed to acquire the property specified under this subsection, except that if s. 85.09 applies the department shall proceed in cooperation with the department of transportation under s. 85.09 (4g) (b). The department shall not acquire any additional property for a correctional institution in the city of Milwaukee prior to January 1, 1985, unless the site is designated by the legislature by statute.

(b) In the selection of classified service employes of the institution specified in par. (a), the appointing authority shall, whenever possible, use the expanded certification program under rules of the administrator of the division of merit recruitment and selection in the department of employment relations to ensure that employes of the institution reflect the general population of the surrounding community in the city in which the institution is located. The administrator of the division of merit recruitment and selection in the department of employment relations shall provide guidelines for the administration of this selection procedure.

SECTION 953r. 46.05 (2) of the statutes is amended to read:

46.05 (2) Construction or establishment of the institutions shall be in compliance with all state laws except s. 32.035 and ch. 91 and except as provided under s. 46.0435 and 1983 Wisconsin Act .... (this act), section 2020 (32m).

SECTION 954. 46.051 (1) (a) of the statutes is amended to read:

46.051 (1) (a) A termination date, ~~which shall be no later than June 30, 1983.~~

SECTION 954m. 46.052 (1) (b) of the statutes is amended to read:

46.052 (1) (b) Provide the facilities necessary for at least 45 additional beds for ~~the substance~~ a corrections drug abuse treatment program at on the grounds of the Winnebago mental health institute.

SECTION 954n. 46.052 (1) (bx) of the statutes is created to read:

46.052 (1) (bx) Provide the facilities necessary for the correctional institution under s. 46.05 (1o).

SECTION 954p. 46.065 of the statutes is amended to read:

**46.065 Wages to prisoners.** The department may provide for assistance of prisoners on their discharge; for the support of their families while in confinement; or for the payment, either in full or ratably, of their obligations acknowledged by them in writing or which have been reduced to judgment by the allowance of moderate wages, to be paid from the operation, maintenance, farm and construction appropriations of the institution in which they are confined. Until the prisoner's final discharge, the funds arising from the wages shall be under the control of the officer in charge of the institution and shall be used for the crime victim and witness assistance surcharge under s. 973.045 (4) and the benefit of the prisoner, the prisoner's family and other obligations specified in this section. Earnings by inmates working in the prison industries and the retention and distribution thereof shall be governed by s. 56.01 (4) and (8).

SECTION 954r. 46.07 (1) of the statutes is amended to read:

46.07 (1) PROPERTY DELIVERED TO STEWARD; CREDIT AND DEBIT. All money including wages under ss. 46.064, 46.065 and 53.12 and other property delivered to an officer or employe of any institution for the benefit of an inmate shall forthwith be delivered to the steward, who shall enter the same upon ~~his~~ the steward's books to the credit of the inmate. ~~Such~~ The property shall be used only under the direction and with the approval of the superintendent or warden and for the crime victim and witness assistance surcharge under s. 973.045 (4) or the benefit of the inmate. If the money remains uncalled for for one year after ~~his~~ the inmate's death or departure from the institution, the superintendent shall deposit the same in the general fund. If any inmate leaves property (, other than money) , uncalled for at an institution for one year, the superintendent shall sell the property, and the proceeds shall be deposited in the general fund. If any person satisfies the department, within 5 years after ~~such~~ the deposit, of his or her right to the deposit, the department shall direct the department of administration to draw its warrant in favor of the claimant and it shall charge the same to the appropriation made by s. 20.913 (3) (c).

SECTION 955. 46.07 (1m) of the statutes is created to read:

46.07 (1m) CENTRAL RECEPTION UNIT; EXCEPTION. Notwithstanding sub. (1) and s. 53.13, an inmate account need not be opened or maintained for an inmate placed at the central reception unit at the Dodge correctional institution.

SECTION 955m. 46.10 (14) of the statutes is amended to read:

46.10 (14) Liability of the patient or relatives specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons under 18 years of age at community mental health centers, a county mental health center under s. 51.08, the centers for the developmentally disabled, Mendota mental health institute, Winnebago mental health institute and central state hospital or care and maintenance of persons under 18 years of age in

residential, nonmedical facilities such as group homes and foster care, child care and juvenile correctional institutions is determined in accordance with the cost-based fee established under s. 46.03 (18). The department shall bill liable parties up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd party benefits, subject to rules governing ability to pay promulgated by the department under s. 46.03 (18). The department may not, by rule, establish a limit on the amount that may be billed under this subsection, but shall charge according to the ability of the responsible party to pay, up to the cost of the patient's care, excluding educational costs. Any liability of the patient not payable by any other party terminates when the patient reaches age 18, unless the patient or patient's relative has prevented payment by any act or omission.

SECTION 956. 46.115 (2) of the statutes is amended to read:

46.115 (2) The cost of treatment shall be at the rate ~~charged the county for county patients established under s. 142.07 (1), and shall be chargeable one-half to the institution and one-half to the state.~~ The department may pay out of such operation fund to the institution the necessary traveling expenses, including the expenses for an attendant when needed. Payments for the treatment of such patients are to be made by the department to the university of Wisconsin ~~for the portion chargeable to the operation fund of the institution; and the portion chargeable to the state shall be certified and paid as provided in s. 142.08 (2).~~

SECTION 956m. 46.15 of the statutes is amended to read:

**46.15 Institutions subject to chapter 150.** ~~Institutions~~ Nursing homes or hospitals under ss. 46.16, 46.17, 46.175, 46.20 and 46.205 ~~which meet the definition of health care institutions under s. 150.001 (6)~~ are subject to ch. 150.

SECTION 957. 46.206 (1) (a) of the statutes is amended to read:

46.206 (1) (a) The department shall supervise the administration of social services and aid to families with dependent children, including related employment and training programs. The department shall submit to the federal authorities state plans for the administration of social services and aid under s. 49.19 in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

SECTION 958. 46.21 (3) (c) of the statutes is created to read:

46.21 (3) (c) The director shall administer the long-term support community options program under s. 46.27, if designated the administering agency under s. 46.27 (3) (b).

SECTION 959. 46.22 (4) (k) of the statutes is repealed.

SECTION 960. 46.22 (4) (n) of the statutes is created to read:

46.22 (4) (n) To establish a community work experience program under 42 USC 609 if the county so elects and if the county pays the administrative costs associated with the program that are not reimbursed by the federal government. Any person participating in a community work experience program in a county is an employe of that county for purposes of worker's compensation benefits only.

SECTION 962. 46.23 (10) of the statutes is created to read:

46.23 (10) EXCHANGE OF INFORMATION. Notwithstanding ss. 49.45 (4), 49.53 (1), 51.30, 51.45 (14) (a), 55.06 (17) (c), 143.07 (7), 146.80 (3) (c) and 146.82, any subunit of an agency administering a program under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same agency or with any person providing services to the client under a purchase of services contract with the agency, if necessary to enable an employe or service provider to perform his or her duties, or to enable the agency to coordinate the delivery of services to the client.

SECTION 963. 46.25 (title), (1), (6) and (7) of the statutes are amended to read:

**46.25 (title) Child and spousal support; establishment of paternity; medical liability.** (1) There is created a child and spousal support and establishment of paternity and medical liability support program in the department. The purpose of this program is to establish paternity when possible, to enforce support obligations owed by parents to their children and maintenance obligations owed to spouses or former spouses with whom the children reside and to locate persons who are alleged to have taken their child in violation of s. 946.71 or 946.715. To accomplish the objectives of the program, county and state agencies will cooperate with one another to implement a child and spousal support and paternity establishment program in accordance with state and federal laws, regulations and rules.

(6) The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this section to individuals not receiving aid under s. 49.19. ~~All such fees or 49.47.~~ The system of fees may take into account an individual's ability to pay. Any fee paid and collected under this subsection may be retained by the county providing the service except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

(7) The department may represent the state or any individual in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department ~~shall~~ may delegate its authority to represent the state or any individual in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to the district attorney, or corporation counsel when authorized by county board resolution, pursuant to a contract entered into under s. 59.07 (97), ~~except that if the district attorney, or corporation counsel when authorized by county board resolution, neglects or refuses to represent the obligee in a support or paternity action, the department may undertake the representation.~~ The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services.

SECTION 964. 46.25 (7m) of the statutes is created to read:

46.25 (7m) The department may contract with or employ a collection agency, attorney or other person to enforce a support obligation of a parent residing outside this state, or to appear in an action in federal court to enforce such an obligation, or both. To pay for the department's administrative costs of implementing this subsection, the department may charge a fee to counties, retain up to 50% of any incentive payment made to this state under 42 USC 658 for a collection under this subsection, and retain 30% of this state's share of a collection made under this subsection on behalf of a recipient of aid to families with dependent children.

SECTION 965. 46.25 (8) of the statutes is amended to read:

46.25 (8) The department may charge counties seeking collection of child and spousal support for any administrative costs it incurs in providing services related to the federal parent locator service under 42 USC 653, the interception of unemployment compensation under 42 USC 654 or the withholding of state and federal income tax refunds under s. 46.255 and 42 USC 654 and 664. ~~The department of industry, labor and human relations may charge the department of health and social services and counties for administrative costs it incurs in intercepting unemployment compensation to enforce child and spousal support obligations under 42 USC 654.~~

SECTION 966. 46.255 (title), (1) and (3) to (5) of the statutes are amended to read:

**46.255 (title) Certification of delinquent support and maintenance payments.** (1) If a person obligated to provide child support payments for a child or maintenance is delinquent in making court-ordered payments, ~~and the county designee authorized under s. 59.07 (97) to administer the child and spousal support and paternity program is unable to secure payment after making reasonable effort, the county designee for the county in which the order was rendered may~~ the clerk of court, upon application of the county designee under s. 59.07 (97) or the department, shall certify the delinquent payment as uncollectible to the department.

(3) Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified as uncollectible, on any state tax refunds or credits owed to the obligor. The lien shall be enforced foreclosed by the department of revenue as a setoff under s. 71.105 (3), (7) and (8). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support or maintenance order and that the department intends to forward that amount to the clerk of the court rendering the order. The notice shall provide that within ~~30~~ 20 days the obligor may request a hearing before the circuit court rendering the support or maintenance order. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or family court commissioner, the clerk of court is prohibited from disbursing the obligor's state tax refund or credit. The family court commissioner may conduct the hearing. The sole issues at that hearing shall be whether the obligor owes the amount certified ~~by the county designee~~ and, if not, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for ~~the future support of the child or maintenance~~. An obligor may, within 20 days of receiving notice that the amount certified shall be withheld from his or her federal tax refund or credit, request a hearing under this subsection.

(4) The department of revenue shall send that portion of any state or federal tax refunds or credits withheld to the department of health and social services for distribution to the appropriate clerk of court. The department of health and social services shall make ~~an annual~~ a settlement at least annually with the department of revenue and with each county ~~designee~~ clerk of court who has certified a delinquent ~~child support~~ obligation. The settlement shall state the amounts certified ~~by the county designee~~, the amounts deducted from tax refunds and credits and returned to the county clerk of court and the administrative costs incurred by the department of revenue. The department of health and social services may charge the county whose ~~designee~~ clerk of court certified the obligation the related administrative costs incurred by the department of health and social services and the department of revenue.

(5) Certification of an obligation to the department of health and social services does not deprive ~~the county~~ any party of the right to collect the obligation or to prosecute the obligor. The ~~county designee~~ clerk of court shall immediately notify the department of any collection of an obligation that has been certified ~~to the department, and the~~. The department shall reduce correct the certified obligation by according to the amount the county has collected and report the correction to the department of revenue.

SECTION 967. 46.26 (3) of the statutes is repealed and recreated to read:

46.26 (3) GRANTS-IN-AID. (a) Receipt of funds under this subsection is contingent upon submission and approval of the plan required under sub. (2m).

(b) Beginning July 1, 1983, and ending December 31, 1983, and within the limitations of the appropriations under s. 20.435 (4) (cd) and (oo), each county shall receive an amount equal to 50% of its 1982 base allocation, plus any amount allocated to the county by the department to cover rate increases for juvenile correctional services which became effective on January 1, 1983.

(c) Beginning January 1, 1984, and ending June 30, 1985, and within the limits of the appropriations under s. 20.435 (4) (cd) and (oo), each county shall receive an amount allocated by the department under 1983 Wisconsin Act .... (this act), section 2020 (6m).

(d) In addition to the funds allocated under pars. (b) and (c), the department shall allocate funds to counties under sub. (4) (b) 2 and shall consider each county's proportionate use of applicable departmental services under s. 48.34 during previous calendar years.

(e) The department may carry forward \$500,000 or 10% of its funds allocated under this subsection and not encumbered by counties by December 31, whichever is greater, to the next fiscal year. The department may transfer moneys from or within s. 20.435 (4) (cd) to accomplish this purpose. The department may allocate these transferred moneys during the next fiscal year to improve community-based juvenile delinquency-related services. ~~The department may make expenditures from 20.435 (4) (cd) directly to and under for these services.~~ **Vetoed in Part** The allocation does not affect a county's base allocation.

SECTION 968. 46.26 (4) (a) of the statutes is amended to read:

46.26 (4) (a) The department shall bill counties or deduct from the allocations under s. 20.435 ~~(2)~~ (4) (cd) for the costs of all care, services and supplies purchased or provided by the department for each person receiving services under ss. 48.34 and 51.35 (3). Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department shall withhold aid payments in the amount due from the appropriations under s. 20.435 ~~(2)~~ (4) (b) or (cd).

SECTION 970. 46.26 (4) (b) 2 of the statutes is amended to read:

46.26 (4) (b) 2. ~~Beginning in calendar year 1983 if~~ If there is an annual increase in the per person daily cost assessment, there shall be an increase in the total funds available to all counties under sub. (3) ~~(b) to (d) sufficient~~ to cover the total increases for state charges under par. (a).

SECTION 971. 46.26 (4) (c) of the statutes is repealed.

SECTION 972. 46.26 (4) (d) of the statutes is renumbered 46.26 (4) (d) 1 and amended to read:

46.26 (4) (d) 1. Except as provided in pars. (e) to (g), ~~beginning January 1, 1983,~~ for services under s. 48.34, all payments and deductions made under this subsection and uniform fee collections made under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (3) (hm). ~~In calendar year 1983, counties shall be assessed at a rate of \$1,934 per month for each placement at a juvenile correctional institution.~~ As adjustments in the ~~assessment~~ assessments under this subsection are made, there shall be a proportionate adjustment in the allocations to counties under ~~this section~~ sub. (3) (d).

SECTION 973am. 46.26 (4) (d) 2 to 4 of the statutes are created to read:

46.26 (4) (d) 2. Beginning July 1, 1983, and ending December 31, 1983, the per person daily cost assessment to counties shall be \$80.22 for care in a juvenile correctional institution, \$80.22 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), \$82.69 for care in a child caring institution, \$56.40 for care in a group home for children, \$18.21 for care in a foster home and \$3.94 for departmental aftercare services.

3. In calendar year 1984, the per person daily cost assessment to counties shall be \$81.69 for care in a juvenile correctional institution, \$81.69 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), \$86.91 for care in a child caring institution, \$57.88 for care in a group home for children, \$19.12 for care in a foster home and \$4.03 for departmental aftercare services.

4. Beginning January 1, 1985, and ending June 30, 1985, the per person daily cost assessment to counties shall be \$83.92 for care in a juvenile correctional institution, \$83.92 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), \$91.37 for care in a child caring institution, \$59.34 for care in a group home for children, \$20.08 for care in a foster home and \$4.15 for departmental aftercare services.

SECTION 974. 46.26 (4) (f) of the statutes is amended to read:

46.26 (4) (f) Beginning January 1, 1983, for services under s. 51.35 (3), ~~all payments and deductions made under this subsection and~~ uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (2) (gk) and all other payments made under this subsection shall be deposited in the general fund and treated as a nonappropriated receipt.

SECTION 974m. 46.27 (1) (b) of the statutes is repealed and recreated to read:

46.27 (1) (b) "Nursing home" means a facility that meets the definition in s. 50.01 (3) and that is licensed under s. 50.03 (1).

SECTION 975. 46.27 (2) (b) 2 of the statutes is amended to read:

46.27 (2) (b) 2. ~~Independent medical reviews and professional reviews established~~ Periodic on-site inspections of patient care under 42 USC 1396a (a) (31); and

SECTION 976. 46.27 (2) (e) of the statutes is amended to read:

46.27 (2) (e) Review and approve or disapprove the community options plan of each county participating in the program. ~~To the extent practicable, the department shall also seek to have a cross-section of counties participating in the program.~~

SECTION 977. 46.27 (2) (f) of the statutes is amended to read:

46.27 (2) (f) Evaluate the cost-effectiveness of the program and, the ability of the program to provide alternatives to institutional care of persons and the reasons why any agency finds that a community arrangement is not feasible under sub. (6) (d).

SECTION 978. 46.27 (3) (b) 4 of the statutes is created to read:

46.27 (3) (b) 4. A director of institutions and departments under s. 46.21.

SECTION 979. 46.27 (3) (e) of the statutes is created to read:

46.27 (3) (e) After implementing the program for 12 months or after January 1, 1984, whichever is later, and within the limits of state and federal funds allocated under sub. (7), provide noninstitutional community alternatives for a significant number of persons in each of the groups listed in sub. (4) (a) 1 and eligible under sub. (6). The department shall determine what constitutes a "significant number of persons" for each participating county, based on county size and on the statewide proportion of persons from each group receiving medical assistance in a nursing home or state center for the developmentally disabled.

SECTION 980. 46.27 (4) (a) 1 of the statutes is amended to read:

46.27 (4) (a) 1. At least 2 ~~5~~ persons receiving long-term community support services, each of whom represents one of the following groups:

SECTION 980g. 46.27 (4) (a) 1. a to e of the statutes are created to read:

- 46.27 (4) (a) 1. a. Elderly persons;
- b. Physically disabled persons;
- c. Developmentally disabled persons;
- d. Chronically mentally ill persons;
- e. Chemically dependent persons;

SECTION 980r. 46.27 (4) (a) 2 of the statutes is amended to read:

46.27 (4) (a) 2. ~~One~~ Two elected county ~~official~~ officials;

SECTION 981. 46.27 (4) (c) 6 of the statutes is created to read:

46.27 (4) (c) 6. A description of outreach procedures to be used to ensure that significant numbers of people from each group listed in sub. (3) (e) will be served by the program.

SECTION 982. 46.27 (5) (d) 1 of the statutes is amended to read:

46.27 (5) (d) 1. Apply the uniform fee schedule under s. 46.03 (18) for long-term community support services provided any person under par. (b), if the person is eligible for medical assistance under s. 49.46 or 49.47 or if the agency finds the person likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care.

SECTION 983. 46.27 (6) (a) 1 of the statutes is amended to read:

46.27 (6) (a) 1. Within the limits of state and federal funds allocated under sub. (7), an assessment shall be conducted for any person identified in sub. (5) (e) or who is seeking admission to or is about to be admitted to a any of the following facilities:

a. A nursing home in participating counties,~~or to a~~

b. A state center for the developmentally disabled for extended care placement , or to the Wisconsin veterans home at King, if the person's county of residence is participating in this program. ~~The~~

1m. Each assessment shall determine the person's functional abilities, disabilities and need for medical and social long-term community support services. Each assessment shall include an investigation of long-term community support services that could serve as alternatives to institutional ~~placement care~~ in a nursing home or in a state center for the developmentally disabled. The assessment shall include an explanation of the potential community alternatives to the person being assessed and the person's family or guardian.

SECTION 984. 46.27 (6) (a) 2 of the statutes is amended to read:

~~46.27 (6) (a) 2. Assessment procedures under this paragraph do not apply to any person seeking admission to a nursing home or state center for the developmentally disabled. The requirement for an assessment under the program does not apply to:~~

a. Any person or facility that is excluded because of gradual implementation of the program under sub. (3) (c). ~~Assessment procedures under this paragraph do not apply in emergencies~~

b. Emergency admissions, as determined by a physician, but shall be applied within 10 days of admission.

c. Private pay patients may who are informed about the program but waive the assessment ~~procedures under this paragraph,~~ unless the patient will be eligible for medical assistance within 6 months of assessment.

SECTION 985. 46.27 (6) (a) 2. d of the statutes is created to read:

46.27 (6) (a) 2. d. Any person who is readmitted to a nursing home or state center for the developmentally disabled from a hospital within 6 months after being assessed.

SECTION 986. 46.27 (6) (a) 3 of the statutes is amended to read:

46.27 (6) (a) 3. In each participating county, assessments shall be conducted for those persons and in accordance with the procedures described in the county's community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. The county may also elect to assess persons who are eligible for medical assistance and who are already admitted to nursing homes and eligible for medical assistance or state centers for the developmentally disabled.

SECTION 987g. 46.27 (6) (c) 2 of the statutes is repealed and recreated to read:

46.27 (6) (c) 2. Subdivision 1 applies only if all counties in the state are participating in the program and are assessing all eligible persons under par. (a). After that time, the assessment criteria for determining whether nursing home care is appropriate shall be uniform statewide and shall be the same as the criteria used for the department's inspection of care reviews of nursing home residents.

SECTION 987r. 46.27 (6) (c) 3 of the statutes is created to read:

46.27 (6) (c) 3. Counties and their employes and agents are immune from liability for determinations made under subd. 1.

SECTION 988. 46.27 (6) (d) of the statutes is created to read:

46.27 (6) (d) If the county, through an assessment, determines that a community arrangement is not feasible, the agency shall explain the reasons to the person and his or her family or guardian. The agency shall maintain records sufficient to provide the county long-term support planning committee and the department with a periodic review of the reasons community arrangements were not feasible in order to assist future program planning.

SECTION 989. 46.27 (7) (a) of the statutes is amended to read:

46.27 (7) (a) From the appropriation under s. 20.435 ~~(2) (4)~~ (b), the department shall allocate ~~\$152,200 for 1982 and \$503,900 for the first 6 months of 1983~~ funds to pay assessment and case plan costs under sub. (6) not otherwise paid under s. 46.032 or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long-term community support services.

SECTION 990. 46.27 (7) (b) 1 of the statutes is amended to read:

46.27 (7) (b) 1. From the appropriation under s. 20.435 ~~(2) (4)~~ (b), the department shall allocate ~~\$649,200 for 1982 and \$1,677,900 for the first 6 months of 1983~~ funds to pay the cost of providing long-term community support services under sub. (5) (b) to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the agency administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed 42% the state share of the average per person reimbursement rate the department expects under s. 49.45 (6m). The agency administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long-term community support services.

SECTION 991. 46.27 (7) (c) 1 of the statutes is repealed and recreated to read:

46.27 (7) (c) 1. The department shall allocate funds under this subsection to each participating county. If a county elects to participate in the program for only part of a year, the department shall prorate the county's allocation.

SECTION 992. 46.27 (7) (e) 2 of the statutes is amended to read:

46.27 (7) (e) 2. Replace federal, state or county matching funds for long-term community support services previously provided, as indicated by the ~~prior year's~~ coordinated plan and budget or by actual expenditures for the year prior to the county's participation in the program, except to the extent that federal or state funding available for these services decreases; or

SECTION 993. 46.27 (8) of the statutes is repealed and recreated to read:

46.27 (8) COUNTY PARTICIPATION. Any county may elect to participate in the program in 1984, subject to the condition that the total number of nursing home residents in all participating counties in 1984 may not exceed 75% of the state's nursing home popula-

tion, excluding residents of state centers for the developmentally disabled. In 1985, any county may elect to participate in the program.

SECTION 994. 46.27 (9) and (10) of the statutes are created to read:

46.27 (9) PILOT PROJECT ALLOCATING THE COST OF NURSING HOME UTILIZATION INCREASES TO COUNTIES. (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long-term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 (1) (b) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by state-operated nursing homes. The department shall calculate these amounts on a calendar year basis under sub. (10).

(b) The department may only select counties to participate in this pilot project and receive these funds that have been part of the long-term support community options program since January 1, 1983. County participation in this pilot project shall be for periods beginning either January 1, 1984, or January 1, 1985.

(c) All long-term community support services provided under this pilot project in lieu of nursing home care shall be consistent with those services described in the participating county's community options plan under sub. (4) (c) and provided under sub. (5) (b). Each county participating in the pilot project shall assess persons under sub. (6).

(10) FUNDING THE PILOT PROJECT. (a) 1. The department shall determine for each county participating in the pilot project under sub. (9) a funding level of state medical assistance expenditures to be received by the county. This level shall equal the amount that the department determines would otherwise be paid under s. 20.435 (1) (b) because of increased utilization of nursing home services, as estimated by the department.

2. The department shall transfer or credit to the participating county the amount calculated under subd. 1 for 1984 or for the first 6 months of 1985, depending on the date the county begins participating in the pilot project. The county shall use these funds to provide long-term care to medical assistance recipients covered by its community options plan, either in the form of nursing home care financed under par. (b) or in the form of long-term community support services. The county may use extra funds available under this paragraph after it provides this long-term care for other long-term community support services under its community options plan.

(b) Each county participating in the pilot project is liable for the entire nonfederal share of medical assistance costs related to increased utilization of nursing homes that are located in the county.

(c) The department's method of determining each county's base level of funding, the transfer or credit of funds and the department's specification of county financial liability under the pilot project are subject to the approval of the joint committee on finance.

SECTION 995. 46.275 of the statutes is created to read:

**46.275 Community integration program for residents of state centers.** (1) LEGISLATIVE INTENT. The intent of the program under this section is to relocate persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions and retaining of employees where necessary.

(1m) DEFINITIONS. In this section:

(a) "Medical assistance" means aid provided under ss. 49.43 to 49.47.

(b) "Program" means the community integration program for residents of state centers for the developmentally disabled, for which a waiver has been received under sub. (2).

**Vetoed  
in Part**

(2) **DEPARTMENTAL POWERS AND DUTIES.** The department may request a waiver from the secretary of the U.S. department of health and human services, under 42 USC 1396n (c), authorizing the department to integrate medical assistance recipients who reside in state centers for the developmentally disabled into their communities by providing home and community-based services as part of the medical assistance program. If the department requests this waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request. If the department receives this waiver, at the end of the 3-year period during which the waiver remains in effect the department may request an additional 3-year extension of the waiver. If the department receives this waiver, it shall:

(a) Annually submit to the secretary of the U.S. department of health and human services information showing the effect of the program on medical assistance costs and on the health and welfare of program participants.

(b) Evaluate the effect of the program on medical assistance costs and on the program's ability to provide community care alternatives to institutional care in state centers for the developmentally disabled.

(c) Fund home or community-based services provided by any county or by the department that meet the requirements of this section.

(d) Review and approve or disapprove each plan of care developed under sub. (3) (c) 2.

(e) Submit to the governor and to the presiding officer of each house of the legislature, for distribution to appropriate legislative committees, annual progress reports on the program plus any other information requested.

(3) **COUNTY PARTICIPATION.** (a) Any county may participate in the program, if it meets the conditions specified in this subsection and the requirements established by the department, including requirements concerning the qualifications and levels of staff for home or community-based service providers.

(b) The board of supervisors of any county that participates in the program shall designate one of the following agencies to administer the program, subject to departmental review and approval:

2. A combined community services board with the powers and duties specified in ss. 51.42 and 51.437.

3. A community human services board created under s. 46.23.

4. A community developmental disabilities services board created under s. 51.437.

(c) Any county participating in the program shall inform the persons eligible for program services under sub. (4) that home and community-based services are available, at their choosing, in place of institutional care. Services provided under this section shall meet the following conditions:

1. The services substitute for care provided at a state center for the developmentally disabled.

2. The services are provided to each recipient under a written plan of care designed for that recipient and approved by the department.

(d) Any county participating in the program shall provide case management services, including the responsibility for locating, coordinating and monitoring all services and informal supports needed by eligible persons and their families.

(e) Any county participating in the program shall protect the health and welfare of persons receiving program services and shall coordinate the program to the greatest extent practicable with the long-term support community options program under s. 46.27.

(3g) **DUTIES OF THE DEPARTMENT.** The department shall provide fair and equitable arrangements to protect the interests of all state employes affected by the program, including arrangements designed to preserve employe rights and benefits ~~and to provide~~

~~training and retaining of those employees if necessary and arrangements under which maximum efforts are made to guarantee the employment of those employees.~~

**Vetoed  
in Part**

(3r) **RELOCATION BY THE DEPARTMENT.** (a) The department may, without county participation under sub. (3) or county reimbursement under sub. (5) (a) 1, relocate a person eligible for program services under sub. (4) from a state center for the developmentally disabled into a community setting in any of the following situations:

1. The person's county of residence when the person entered the state center for the developmentally disabled cannot be determined with reasonable certainty.
2. The person's county of residence when the person entered the state center for the developmentally disabled is not participating, under sub. (3), in the program.
3. The person will be relocated into the home of the person's parent or guardian and will be receiving state monitoring of the relocation and services provided by a public or private school.

(b) If the department relocates a person under this subsection, it shall comply with the requirements imposed on counties under sub. (3) (c) to (e).

(c) Prior to relocating a person under this subsection, the department shall ensure delivery of any necessary education, habilitation, vocational, medical and therapy services through contracting with community-based service providers. If any service is not available, the department may provide it directly.

(4) **ELIGIBILITY OF RECIPIENTS.** (a) Any medical assistance recipient living in a state center for the developmentally disabled is eligible to participate in the program. Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in the program.

(b) A team composed jointly of departmental representatives and representatives of the agency administering the program for the county in which the medical assistance recipient resides shall review any application for participation in the program. Reviews of all applications for relocation under sub. (3r) shall be by departmental representatives. No person may participate in the program unless all of the following occur:

1. Consent for participation is given either by the person's parent, guardian or legal custodian, if the person is under age 18 or by the person or the person's guardian, if the person is age 18 or over. If the person is under guardianship and subject to protective placement under s. 55.06 but the guardian does not consent to participation, the determination to participate in the program shall be made under s. 55.06. If the person is under age 18 and is not subject to s. 55.06 but the person's parent or guardian does not consent to participation, the determination to participate in the program shall be made under ss. 48.35 to 48.363.

2. The county, or the department under sub. (3r), agrees to provide services to the person.

4. The review team determines that available home or community-based services are appropriate for that person.

(c) 1. Except as provided in subd. 2, if a resident of a state center for the developmentally disabled is relocated in order to receive home or community-based services under the program, the center may not accept a patient to fill the bed left vacant by the person leaving.

2. If a person who has been relocated from a state center for the developmentally disabled under this program seeks to return to the center within 90 days after relocating because the person or the county agency administering the program, or the department under sub. (3r), finds that the services available are inappropriate, the center shall accept the person as a patient to fill the bed that the person vacated. After this 90-day period, the person may only be readmitted into a bed not left vacant because of relocation under this section.

(e) To the extent provided in 42 USC 1396n, funding for any person who is relocated under this program may be used for another medical assistance recipient who is developmentally disabled and who, but for this program, would require the level of care provided in a state center for the developmentally disabled.

(f) To the extent provided in 42 USC 1396n, if a person who has been relocated from a state center for the developmentally disabled under this program discontinues participating in the program for any reason other than institutional placement, the department may reallocate on a case-by-case basis the funding within the relocating county to another medical assistance recipient who is developmentally disabled and who, but for this program, would require the level of care provided in a state center for the developmentally disabled.

(5) FUNDING. (a) 1. Medical assistance reimbursement for services a county, or the department under sub. (3r), provides under this program is available from the appropriations under s. 20.435 (1) (b) and (o). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, medical assistance reimbursement is also available for services provided jointly by these counties.

2. Medical assistance reimbursement to a state center for the developmentally disabled for persons relocated in order to receive home or community-based services under the program shall be no more than 85% of the center's daily reimbursement rate for medical assistance recipients and shall continue for 90 days after the person's relocation.

(b) No county, or the department under sub. (3r), may use funds received under this section to do any of the following:

1. Purchase land or construct buildings.

2. Reduce federal, state or county matching expenditures for long-term community support services provided to any person as part of this program from funds allocated under s. 46.80 (5), 49.52 (1) (d) or 51.42 (8), as indicated in the county's coordinated plan and budget.

3. Provide room and board, except for respite care.

4. Provide services within a skilled nursing facility, intermediate care facility or intermediate care facility for the mentally retarded, including a state center for the developmentally disabled.

5. Provide residential services in any community-based residential facility, as defined in s. 50.01 (1), or group home, as defined in s. 48.02 (7) that has more than 4 beds, unless the department approves the provision of services in a community-based residential facility or group home that has 5 to 8 beds.

6. Provide services to a recipient that are not specified in the recipient's written plan of care.

(c) The total allocation under s. 20.435 (1) (b) and (o) to any county, or the department under sub. (3r), for services provided under this section may not exceed \$55 per person relocated under the program per day of relocation for fiscal year 1983-84 and may not exceed \$56.38 per person relocated under the program per day of relocation for fiscal year 1984-85.

(5m) REPORT. By March 1 of each year, the department shall submit a report to the joint committee on finance and to the presiding officer of each house of the legislature describing the program's impact during the preceding calendar year on state employes, including the department's efforts to redeploy employes into vacant positions and retain employes and the number of employes laid off.

**Vetoed  
in Part**

(6) EFFECTIVE PERIOD. This section takes effect on the date the secretary of the U.S. department of health and human services approves the waiver request submitted under sub. (2) or on the effective date of this subsection (1983), whichever is later. This section remains in effect for 3 years following that date and, if the secretary of the U.S. depart-

ment of health and human services approves an extension, shall continue an additional 3 years.

SECTION 996. 46.277 of the statutes is created to read:

**46.277 Community integration program for medical assistance certified facilities.** (1) **LEGISLATIVE INTENT.** The intent of the program under this section is to relocate persons from institutional settings, other than the state centers for the developmentally disabled, into appropriate community settings with the assistance of home and community-based care and with continuity of care. The intent of the program is also that counties use all existing services for providing care under this section, including those services currently provided by counties.

(1m) **DEFINITIONS.** In this section:

(a) "Medical assistance" means aid provided under ss. 49.43 to 49.47.

(b) "Program" means the community integration program for facilities certified as medical assistance providers, for which a waiver has been received under sub. (2).

(2) **DEPARTMENTAL POWERS AND DUTIES.** The department may request a waiver from the secretary of the U.S. department of health and human services, under 42 USC 1396n (c), authorizing the department to integrate medical assistance recipients who reside in facilities certified as medical assistance providers into their communities by providing home and community-based services as part of medical assistance. If the department requests a waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request. The department may request an extension to this waiver as provided in s. 46.275 (2). If the department receives this waiver, it shall perform the duties specified in s. 46.275 (2) (a), (c) and (e) and shall:

(a) Evaluate the effect of the program on medical assistance costs and on the program's ability to provide community care alternatives to institutional care in facilities certified as medical assistance providers.

(b) Review and approve or disapprove each plan of care developed by the county agency under sub. (3).

(3) **COUNTY PARTICIPATION.** (a) The provisions of s. 46.275 (3) apply to county participation in this program, except that services provided in the program shall substitute for care provided at a facility certified as a medical assistance provider rather than for care provided at a state center for the developmentally disabled and except that the county board of supervisors may designate a county department of social services or public welfare as the agency that administers the program.

(b) 1. Any facility certified as a medical assistance provider from which a patient is relocated in order to receive home or community-based services under the program shall submit a plan for closing all or part of the facility that is approved by the department.

2. Each county agency participating in the program shall provide services to patients of any facility in the county who are relocated as a result of the facility's closing under subd. 1.

(4) **ELIGIBILITY OF RESIDENTS.** Any medical assistance recipient living in a facility certified as a medical assistance provider is eligible to participate in the program. Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in the program. The provisions of s. 46.275 (4) (b) apply to participation in the program.

(5) **FUNDING.** (a) The provisions of s. 46.275 (5) (a) 1 and (b) apply to funding received by counties under the program.

(b) Prior to relocating any person under the program, the department shall submit to the joint committee on finance a method for determining the medical assistance reimbursement levels to be provided to any county under par. (a) for the committee's ap-

proval. Total funding to any county for relocating each person under the program may not exceed the statewide average daily medical assistance reimbursement rate for the class of facility involved per day of relocation.

(5m) REPORT. By March 1 of each year, the department shall submit a report to the joint committee on finance and to the presiding officer of each house of the legislature describing the cost and quality of services used under the program and the extent to which existing services have been used under the program in the preceding calendar year.

(6) EFFECTIVE PERIOD. The effective date provisions of s. 46.275 (6) apply to this section.

SECTION 996g. 46.28 (1) (a) of the statutes is amended to read:

46.28 (1) (a) "Authority" means the Wisconsin health facilities authority created under ch. 231 or the Wisconsin housing finance authority created under ch. 234.

SECTION 996r. 46.28 (1) (e) of the statutes is amended to read:

46.28 (1) (e) "Sponsor" means a nonprofit participating health institution, as defined in s. 231.01 (3), a tribal council or housing authority or any nonprofit entity created by a tribal council, a nonprofit or limited profit agency or corporation, the department, any board created under s. 46.21, 46.22 (2), 46.23, 51.42 or 51.437, a county commission on aging created under s. 59.07 (93) or any housing authority created under s. 59.075, 66.395, 66.40 or 66.4325.

SECTION 996v. 46.30 of the statutes is created to read:

**46.30 Community action agencies.** (1) DEFINITIONS. In this section:

(a) "Poor person" means a resident of a community served by a community action agency, whose income is at or below 125% of the poverty line.

(b) "Poverty line" means the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 2971d.

(2) CREATION. (a) 1. A community action agency is any of the entities specified in par. (b) that meets the following conditions:

a. Is capable of performing the functions specified in sub. (3).

b. Receives the approval of the secretary.

c. Receives the approval of the county board of supervisors, if the community action agency serves an entire county, or, if the agency serves a city, village or town, receives the approval of the city's, village's or town's legislative body.

**Vetoed in Part** ~~d. Serves a county, city, village or town or any combination of these entities, with a total of at least 3% of the state's population at or below 125% of the poverty line.~~

2. Each private, nonprofit community action agency shall be governed by a board consisting of 15 to 51 members, chosen from the following groups:

a. One-third of the members shall be elected public officials or their representatives. If the number of elected public officials who are reasonably available and willing to serve on a governing board is insufficient to meet this requirement, appointed public officials may be substituted. The chief executive or the legislative body of the county, city, village or town that approved the creation of a community action agency under subd. 1. c shall appoint these members.

b. At least one-third of the members shall represent poor persons in the community to be served by the community action agency, being chosen in accordance with democratic selection procedures adequate to ensure that they are selected by and that they represent poor persons.

c. The remaining members shall represent specific groups or areas within the community to be served by the community action agency. The members selected under subd. 2. a and b shall determine which groups or areas are to be represented and shall delegate to

the group, or to residents of the area, the task of selecting the representative. Representatives of an area of the community shall reside within that area.

3. Each community relations-social development commission created under s. 66.433 that acts as a community action agency shall modify the composition of its commission so that the commission is composed of 15 to 51 members, chosen from the groups specified in subd. 2. a to c.

(b) The following entities may organize as community action agencies:

1. Any private, nonprofit community organization, including any migrant or seasonal farm worker organization.

2. Any community relations-social development commission created under s. 66.433.

3. Any entity designated by the community services administration as a community action agency under 42 USC 2790 to 2797, in effect on August 1, 1981, for federal fiscal year 1981, unless the agency lost its designation. Any such entity is deemed to meet the conditions under par. (a) 1.

(c) The approval of a community action agency may be rescinded but only if there is good cause and if the decision to rescind is made by both the legislative body of the county, city, village or town that granted the approval and the secretary. At least 90 days before rescinding approval, the legislative body or secretary shall notify the community action agency of its reasons for the action and hold a public hearing in the community concerning the action.

(3) POWERS AND DUTIES. (a) A community action agency shall do all of the following:

1. Administer funds received from the department under sub. (4) and funds from other sources provided to support a community action program.

2. Set personnel, program and fiscal policies. Each community action agency shall set policies and procedures governing employe compensation and employment qualifications for itself and its agents. These policies and procedures shall ensure that employment practices are impartial and are designed to employ only competent persons, and shall guard against personal or financial conflicts of interest. Each community action agency shall also define the duties of its employes regarding advocacy on behalf of poor persons.

3. Involve, to the greatest extent practicable, poor persons in developing and implementing programs in order to ensure that these programs:

a. Will stimulate the capabilities of these persons for self-advancement.

b. Will be meaningful to and widely utilized by these persons.

4. Allow poor persons to influence the character of programs operated by the community action agency.

5. Involve members of the community in planning, conducting and evaluating its programs.

6. Conduct its program in a manner free of discrimination based on political affiliation and of personal or familial favoritism. Each community action agency shall establish policies and procedures to carry out this requirement and to hold staff members accountable for complying with matters governed by this section and by other state or federal laws, rules or regulations.

7. Release any record of the community action agency for examination or copying upon request, unless disclosure would constitute an unwarranted invasion of an individual's privacy. Each community action agency shall require its agents to make their records similarly available. Each community action agency shall hold public hearings on request to provide information and to receive comments about its activities.

8. Appoint a representative or representatives to the citizen advisory committee under s. 46.031 (3) (a), in order to participate in developing and implementing programs designed to serve the poor.

(b) A community action agency may:

1. Approve program plans and priorities.
2. Resolve internal personnel or fiscal matters.

3. Create a community action program. If the community action agency creates a program, it shall plan, coordinate, administer and evaluate the program. A community action program may include provisions that will help poor persons:

- a. Secure and retain employment.
- b. Improve their education.
- c. Make better use of available income.
- d. Obtain and maintain adequate housing and a suitable living environment.
- e. Secure needed transportation.
- f. Obtain emergency assistance. Through its program, the community action agency may provide emergency supplies or services to meet basic needs.

g. Participate in community affairs.

h. Use more effectively other available programs.

4. Create methods by which poor persons can work with private groups to solve common problems.

5. Research the causes of and problems created by poverty in the community.

6. Determine if programs to reduce poverty are working effectively.

7. Initiate and sponsor projects to aid poor persons that provide otherwise unavailable services.

8. Transmit information between public and private organizations and otherwise coordinate the provision of public and private social services programs to eliminate overlap and ensure effective delivery of the programs.

9. Contract with other persons to perform the community action agency's functions. The community action agency may delegate responsibility for funding or administering its programs or for making policy determinations concerning a particular geographic area of the community it serves only if poor persons represent at least one-third of the members of the governing body of the agent being delegated this responsibility.

(4) FUNDING. (a) The department shall allocate the federal community services block grant funds received under 42 USC 9903 and deposited in the appropriations under s. 20.435 (4) (mc) and (md) as provided in this subsection.

**Vetoed in Part** (b) The department shall allocate at least 90% of the funds to community action agencies and migrant and seasonal farm worker organizations ~~that are in existence on the effective date of this section (1983). Each such community action agency that meets the requirements under 42 USC 9904 shall receive at least \$50,000 annually.~~

(c) The department may not allocate more than 5% of the funds for state administrative expenses.

**Vetoed in Part** (d) Before January 1 of each year the department shall contract with each ~~community action agency and migrant and seasonal farm worker organizations~~ being funded, specifying the amount of money the organization will receive and the activities to be carried out by the organization.

SECTION 997. 46.70 (2) of the statutes is amended to read:

46.70 (2) From the ~~appropriation~~ appropriations under s. 20.435 ~~(2) (4) (dL) and (o)~~, the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1), except that beginning January 1, 1984, the department may make funds under this section available only to federally recognized tribal governing bodies that received funds under this section in calendar year 1983. Beginning January 1, 1982 1983, and ending December 31, 1982 1983, each tribal governing body may apply to the department for up to \$24,000 \$25,000. Beginning January 1, 1983 1984, and ending June 30, 1983 December 31, 1984, each eligible tribal governing body may apply to the department for up to \$11,700 \$25,500. Beginning January 1, 1985, and ending June 30, 1985, each eligible tribal governing body may apply to the department for up to \$13,000. Receipt of funds is contingent upon department approval of the application. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a plan for expenditure of funds, consistent with the purposes stated in sub. (1).

SECTION 997m. 46.95 (2) (b) 3 of the statutes is amended to read:

46.95 (2) (b) 3. The need for domestic abuse services in the areas of the state served by ~~each substate health planning agency as defined in s. 150.001 (13)~~ health systems agency designated under 42 USC 300L.

SECTION 998. 46.95 (2) (e) of the statutes is amended to read:

46.95 (2) (e) Of the funds distributed under this section for fiscal year ~~1981-82 1983-84~~, not less than 75% shall be used to continue funding domestic abuse services that currently receive state funds under this section and not more than 25% shall be for other domestic abuse services. Of the funds distributed under this section for fiscal year ~~1982-83 1984-85~~, not less than 90% shall be used to continue funding domestic abuse services that received state funds under this section during the previous fiscal year and not more than 10% shall be for other domestic abuse services. For new domestic abuse services, the department shall give preference to services in areas of the state where these services are not otherwise available. Any funds that are not spent under one category of this formula may be reallocated by the department to the other category.

SECTION 999. 46.96 of the statutes is created to read:

**46.96 Independent living center grants.** (1) In this section:

(a) "Independent living center" means a community-based public or private non-profit, nonresidential program that substantially involves the severely disabled individuals it serves in its policy direction and management and that provides directly or indirectly through referral, those services which assist severely disabled individuals to increase personal self-determination and to minimize unnecessary dependence upon others.

(b) "Severely disabled individual" means any individual whose ability to function independently in his or her family or community or whose ability to engage or continue in employment is so limited by the severity of his or her disability that comprehensive or vocational rehabilitation services are required to improve significantly either his or her ability to function independently in his or her family or community or his or her ability to engage in employment.

(2) The department shall make grants from the appropriations under s. 20.435 (4) (kc) or s. 20.435 (5) (bm) and (na) to independent living centers for nonresidential services to severely disabled persons.

(3) From the amounts distributed under this section the department shall make grants to independent living centers that received state or federal funds designated for independent living centers in fiscal year 1982-83 in an amount up to \$607,900 in fiscal year 1983-84 and \$607,900 in fiscal year 1984-85.

SECTION 999a. 47.40 (12) (e) and (f) of the statutes are created to read:

47.40 (12) (e) Each client who participates in the homecraft program is required to perform at least 20 hours of work per week or produce products whose total value is at least \$20 per week.

(f) The department may not remove any homecraft client who, on the effective date of this paragraph (1983), is participating in the homecraft program unless either of the following occurs:

1. An appropriate alternative placement is found for the client.
2. The department determines that the client is abusing the program.

SECTION 999g. 48.27 (8) of the statutes is created to read:

48.27 (8) When a petition is filed under s. 48.12 or 48.13, the court shall notify, in writing, the child's parents or guardian that they may be ordered to reimburse this state or the county for the costs of legal counsel provided for the child, as provided under s. 48.275 (2).

SECTION 999i. 48.275 (2) (a) of the statutes is amended to read:

48.275 (2) (a) If this state or a county provides legal counsel to a child subject to s. 48.12 or 48.13, the court shall order the parents or guardian to provide a statement of income, assets and living expenses to the county department of social services or public welfare and shall order the parents or guardian of the child to reimburse the state or county if required under par. (b) or (c). The court may not order reimbursement if a parent or guardian is the complaining or petitioning party or if the court finds that the interests of the parent or guardian and the interests of the child in the proceedings are substantially and directly adverse and that reimbursement would be unfair to the parent or guardian. The court may not order reimbursement until after the child is found to be delinquent under s. 48.12 or in need of protection and services under s. 48.13, or until after the completion of all court proceedings under this chapter.

SECTION 999k. 48.275 (2) (c) of the statutes is amended to read:

48.275 (2) (c) If the county provides the child with legal counsel, ~~the amount of reimbursement shall be the amount ordered by the court. The court may establish the amount of reimbursement or may~~ shall either make a determination of indigency or shall appoint a county agency to determine whether the parent or guardian shall make full or partial reimbursement make the determination. If the court or the agency finds that the parent or guardian is not indigent or is indigent in part, the court shall ~~promptly notify the parent or guardian of the county's right to reimbursement under this subsection establish the amount of reimbursement and shall order the parent or guardian to pay it.~~

SECTION 999m. 48.275 (2) (cg) of the statutes is created to read:

48.275 (2) (cg) The court shall, upon motion by a parent or guardian, hold a hearing to review any of the following:

1. An indigency determination made under par. (b) or (c).
2. The amount of reimbursement ordered.
3. The court's finding, under par. (a), that the interests of the parent or guardian and the child are not substantially and directly adverse and that ordering the payment of reimbursement would not be unfair to the parent or guardian.

SECTION 999o. 48.275 (2) (cr) of the statutes is created to read:

48.275 (2) (cr) Following a hearing under par. (cg), the court may affirm, rescind or modify the reimbursement order.

SECTION 999r. 48.275 (2) (d) of the statutes is amended to read:

48.275 (2) (d) Reimbursement payments shall be made to the clerk of courts of the county where the proceedings took place. Each payment shall be transmitted to the county treasurer, who shall deposit ~~20%~~ 50% of the amount paid for state-provided

counsel in the county treasury and transmit the remainder to the state treasurer for deposit in the general fund. The county treasurer shall deposit 100% of the amount paid for county-provided counsel in the county treasury.

SECTION 999t. 48.275 (2) (e) of the statutes is created to read:

48.275 (2) (e) A person who fails to comply with an order under par. (b) or (c) may be proceeded against for contempt of court under ch. 785.

SECTION 999u. 48.355 (2) (a) of the statutes is amended to read:

48.355 (2) (a) In addition to the order, the judge shall make written findings of fact and conclusions of law based on the evidence presented to the judge to support the disposition of each individual coming before him or her. If the child is placed outside the home, the findings of fact shall include a finding that reasonable efforts have been made to prevent the need to remove the child from his or her home, or, if applicable, that reasonable efforts have been made to make it possible for the child to return to his or her home.

SECTION 1000. 48.43 (7) of the statutes is created to read:

48.43 (7) If the agency specified under sub. (1) (a) is the department and a permanent adoptive placement is not in progress 2 years after entry of the order, the department may petition the court to transfer legal custody of the child to a county agency specified under s. 48.56 (1). The court shall transfer the child's custody to the agency specified in the petition. The department shall remain the child's guardian.

SECTION 1000m. 48.55 of the statutes is created to read:

**48.55 State adoption information exchange.** The department shall establish a state adoption information exchange for the purpose of finding adoptive homes for children with special needs who do not have permanent homes. The department shall adopt rules governing the adoption information exchange, and may contract with individuals and private agencies for adoption information exchange services.

SECTION 1001m. 48.627 of the statutes is amended to read:

**48.627 (title) Foster parent insurance.** The department shall, from the appropriations under s. 20.435 (2) ~~(de) and (p)~~ (4) (db) and (pd), purchase insurance for licensed foster parents to cover the liability of the foster parents, to the extent not provided in the foster parent's homeowner's insurance policy, for injuries sustained or property damage caused by foster children in the foster parent's care, subject to the limitations contained in the policy. The department may also purchase insurance to cover the cost of damages sustained by a foster parent or a member of the foster parent's family as a result of the act of a foster child in the foster parent's care, to the extent not covered by other insurance and subject to the limitations contained in the policy.

SECTION 1001s. 48.982 of the statutes is created to read:

**48.982 Child abuse and neglect prevention board.** (1) DEFINITIONS. In this section:

(a) "Abuse" has the meaning given under s. 48.981 (1) (a).  
(b) "Board" means the child abuse and neglect prevention board created under s. ~~15.185(1)(c)~~.

(c) "Neglect" means neglect, refusal or inability, for reasons other than poverty, by a parent, guardian, legal custodian or other person exercising temporary or permanent control over a child to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child.

(d) "Organization" means a nonprofit organization, as defined under s. 108.02 (26), or a public agency which provides or proposes to provide child abuse and neglect prevention and intervention services.

(2) POWERS AND DUTIES. The board shall:

Partial  
Veto  
Overruled

Vetoed  
in Part

(a) One year after the effective date of this paragraph (1983), and biennially thereafter, develop and transmit to the governor and the presiding officer of each house of the legislature a plan for awarding grants to organizations. The plan shall assure that there is an equal opportunity for establishment of child abuse and neglect prevention programs and distribution of grants throughout all geographic areas of the state and in both urban and rural communities.

Partial  
Veto  
Overruled

(b) Develop and publicize criteria for grant applications.

(c) Review and approve or disapprove grant applications and monitor the services provided under each grant awarded under sub. (4).

(d) Solicit and accept contributions, grants, gifts and bequests for the children's trust fund. All moneys received shall be transmitted to the state treasurer for deposit in that fund.

(e) Include as part of its annual report under s. 15.07 (6) the names and locations of organizations receiving grants, the amounts provided as grants, the services provided by grantees and the number of persons served by each grantee.

(f) Establish a procedure for an annual evaluation of its functions, responsibilities and performance. In a year in which the biennial plan under par. (a) is prepared, the evaluation shall be coordinated with the plan.

(g) In coordination with the department s of health and social services and public instruction:

1. Recommend to the governor, the legislature and state agencies changes needed in state programs, statutes, policies, budgets and rules to reduce the problems of child abuse and neglect, improve coordination among state agencies that provide prevention services and improve the condition of children and persons responsible for children who are in need of prevention program services.

2. Promote statewide educational and public informational seminars for the purpose of developing public awareness of the problems of child abuse and neglect.

3. Encourage professional persons and groups to recognize and deal with problems of child abuse and neglect.

4. Disseminate information about the problems of child abuse and neglect to the public and to organizations concerned with those problems.

5. Encourage the development of community child abuse and neglect prevention programs.

(3) STAFF AND SALARIES. The board shall determine the qualifications of and appoint, in the classified service, an executive director and clerical staff. The salaries of the executive director and clerical staff and all actual and necessary operating expenses of the board shall be paid from the appropriation under s. 20.433 (1) (g).

(4) AWARD OF GRANTS. (a) From the appropriations under s. 20.433 (1) (h) and (q), the board shall award grants to organizations in accordance with the plan developed under sub. (2) (a). In each of the first 2 fiscal years in which grants are awarded, no organization may receive a grant or grants totaling more than \$15,000.

(b) A grant may be awarded only to an organization that agrees to match the grant, through money or in-kind services, as follows:

1. During the first year of the grant, at least 25% of the amount received for that year.

2. During the 2nd and subsequent years of a grant, at least 50% of the amount received for each year.

Partial  
Veto  
Overruled

(c) Each grant application shall include proof of the organization's ability to comply with par. (b). Any in-kind services proposed under par. (b) are subject to the approval of the board.

(d) The board shall award grants to organizations for programs for the primary prevention of child abuse and neglect, including, but not limited to:

1. Programs to promote public awareness of child abuse and neglect.
2. Community-based programs on education for parenting, prenatal care, perinatal bonding, child development, basic child care, care of children with special needs and coping with family stress.
3. Community-based programs relating to crisis care, early identification of children at risk of child abuse or neglect, and education, training and support groups for parents, children and families.

(e) In determining which organizations shall receive grants, the board shall consider whether the applicant's proposal will further the coordination of child abuse and neglect services between the organization and other resources, public and private, in the community and the state.

Partial  
Veto  
Overruled

SECTION 1002. 48.998 of the statutes is repealed.

SECTION 1003. 49.002 of the statutes is amended to read:

**49.002 Legislative declaration.** It is declared to be legislative policy that all recipients of general relief shall have maximum exposure to job training and job opportunities through the Wisconsin state employment service as well as other government agencies. Applicants and recipients of general relief shall comply with the established work-seeking rules of the relief-administering agency. Recipients of general relief shall also comply with the established work relief rules of the relief-administering agency. Refusal of a bona fide offer of employment or training without good cause, or acceptance and subsequent inadequate performance through wilful neglect, or failure to comply with the work-seeking or work relief rules of the relief-administering agency, shall necessitate that local, municipal or county welfare officials discontinue general relief payments to such individual for a period not to exceed 30 days. Any Wisconsin taxpayer shall have standing in the circuit court for the purpose of obtaining an injunction to enforce ~~the policy set forth in this section.~~ All personnel shall do their best to get individuals off general relief and into self-supporting productive jobs.

~~SECTION 1003m. 49.01 (1) of the statutes is amended to read:~~

~~49.01 (1) "Relief" means such services, commodities or money as are reasonable and necessary under the circumstances to provide food, housing, clothing, fuel, light, water, medicine, medical, chiropractic, dental, and surgical treatment (including hospital care), optometrical services, nursing, transportation, and funeral expenses, and include wages for work relief. The food furnished shall be of a kind and quantity sufficient to provide a nourishing diet. The housing provided shall be adequate for health and decency. Where there are children of school age the relief furnished shall include necessities for which no other provision is made by law. The relief furnished, whether by money or otherwise, shall be at such times and in such amounts, as will in the discretion of the relief official or agency meet the needs of the recipient and protect the public.~~

Vetoed  
in Part

SECTION 1004. 49.01 (4) of the statutes is amended to read:

49.01 (4) "Dependent person" or "dependent" means a person without the present available money or income or property or credit, or other means by which the same can be presently obtained, sufficient to provide the necessary commodities and services specified in sub. (1). Credit received under s. 71.09 (7) and federal home energy assistance benefits authorized under 42 USC 8601 to 8612 8621 to 8629 are not income or resources for purposes of determining dependency or the amount of relief provided.

~~SECTION 1004m. 49.01 (7) of the statutes is amended to read:~~

~~49.01 (7) "Eligible" or "eligibility" means a dependent person who has continuously resided for one whole year in this state immediately prior to an application for relief, except that temporary assistance including medical care may be granted~~

Vetoed  
in Part

Vetoed  
in Part

~~during the initial year to meet an emergency situation pending the negotiations for the return of the applicant and family to the former place of residence or legal settlement outside this state or to meet a medical emergency developing during the initial one year period of residence. Such temporary assistance shall not extend beyond 30 days unless a medical emergency requires further extension. Notwithstanding the foregoing, whenever anyone leaves this state, and was at the time of his departure eligible as to residential requirements to receive general assistance under this section other than emergency aid, such person upon returning within one year to this state, shall be eligible to receive such general assistance in this state without limitation on the period of relief to be granted so long as the need continues.~~

SECTION 1005. 49.02 (1) of the statutes is amended to read:

49.02 (1) Every municipality shall furnish relief only to all eligible dependent persons therein and shall establish or designate an official or agency to administer the same. The administering agency or official shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of relief to be furnished. The agency or official shall review the standards of need at least annually. The administering agency or official may establish work-seeking rules for relief applicants and recipients.

~~SECTION 1005c. 49.02 (2) of the statutes is amended to read:~~

Vetoed  
in Part

~~49.02 (2) Every county may furnish relief only to all eligible dependent persons within the county but not having a legal settlement therein, and if it elects to do so, it shall establish or designate an official or agency to administer the same.~~

~~SECTION 1005g. 49.02 (3) of the statutes is repealed.~~

SECTION 1005m. 49.02 (5) of the statutes is amended to read:

49.02 (5) The (a) Except as otherwise provided in this section, a municipality or county shall be liable for the emergency hospitalization of and care rendered by a physician and surgeon to a person entitled to relief who is determined to be an eligible dependent person under this chapter, without previously authorizing the same, when, in the reasonable opinion professional judgment of a physician, immediate and indispensable care emergency medical treatment or hospitalization is required, and prior authorization therefor cannot be obtained without delay likely to injure the patient. There shall be no liability for such care necessary because severe physical or psychological damage to the person would result if the treatment or hospitalization was delayed pending the receipt of prior authorization from the municipality or county.

(c) A municipality or county is not liable for treatment or hospitalization beyond what is reasonably required by the circumstances of the case, and liability shall not attach unless, within 7 days after furnishing the first care or hospitalization of the patient, written notices by the attending physician and by the hospital be mailed or delivered to the official or agency designated in accordance with this section, reciting the name and address of the patient, so far as known, and the nature of the illness or injury, and the probable duration of necessary treatment and hospitalization provided under par. (a) unless:

1. Within 3 working days after the patient is provided emergency medical treatment or hospitalization an agent of the hospital gives written notice of the treatment or hospitalization to the relief administering agency or official of the municipality or county in which the hospital is located and of the municipality or county in which the patient has legal settlement;

2. The attending physician certifies in writing the need for the emergency medical treatment or hospitalization to the municipality or county in which the patient has legal settlement or, if none exists, to the municipality or county in which the hospital is located; and

3. Within 72 hours after the patient is provided emergency medical treatment or hospitalization an agent of the hospital obtains authorization for continued treatment or hospitalization of the patient from the municipality or county in which the patient has legal settlement or, if none exists, the municipality or county in which the hospital is located.

(d) Any municipality or county giving care or hospitalization as provided in this section ~~subsection~~ to a person who has settlement in some other municipality or county may recover from such other municipality or county as provided in s. 49.11.

SECTION 1009. 49.02 (5) (b) of the statutes is created to read:

49.02 (5) (b) A municipality or county is not liable for hospitalization or care provided under par. (a) if the hospital provides the care or hospitalization to the person as uncompensated services required under 42 USC 291c.

~~SECTION 1009m. 49.02 (5) (c) 1, 2 and 3 and (d) of the statutes, as affected by 1983 Wisconsin Act ... (this act), are amended to read:~~

~~49.02 (5) (c) 1. Within 3 working days after the patient is provided emergency medical treatment or hospitalization an agent of the hospital gives written notice of the treatment or hospitalization to the relief administering agency or official of the municipality or county in which the hospital is located and of the municipality or county in which the patient has legal settlement residence.~~

~~2. The attending physician certifies in writing the need for the emergency medical treatment or hospitalization to the municipality or county in which the patient has legal settlement residence or, if none exists, to the municipality or county in which the hospital is located; and~~

~~3. Within 72 hours after the patient is provided emergency medical treatment or hospitalization an agent of the hospital obtains authorization for continued treatment or hospitalization of the patient from the municipality or county in which the patient has legal settlement residence or, if none exists, the municipality or county in which the hospital is located.~~

~~(d) Any municipality or county giving care or hospitalization as provided in this subsection to a person who has settlement residence in some other municipality or county may recover from such other municipality or county as provided in s. 49.11.~~

SECTION 1010m. 49.02 (5) (e) of the statutes is created to read:

49.02 (5) (e) A municipality or county may establish written standards to be used to determine what is reasonable care for the purposes of this section.

SECTION 1011. 49.02 (9) of the statutes is created to read:

49.02 (9) Any municipality or county may limit its liability for medical or dental care furnished as general relief, including emergency care provided under sub. (5), by adopting income and resource limitations. This limitation applies only to medical or dental care furnished as general relief on or after the date the municipality or county acts to limit its liability.

~~SECTION 1011m. 49.03 (1) (b) of the statutes is amended to read:~~

~~49.03 (1) (b) Abolish all distinction between eligible county dependents and eligible municipal dependents as to medical, chiropractic, surgical, dental, hospital and nursing care and optometrical services, and have the entire expense of such care a county charge.~~

SECTION 1012m. 49.035 of the statutes is created to read:

**49.035 State aid for general relief.** (1) As provided in this section, the department shall reimburse counties and municipalities for eligible general relief costs incurred on or after July 1, 1983, from the appropriation under s. 20.435 (4) (eb).

Vetoed  
in Part

Vetoed  
in Part

**Vetoed in Part** (2) ~~Except as provided in subs. (4) to (6),~~ a county or municipality may receive reimbursement for up to 10% of the costs of relief provided under s. 49.02, except that medical costs may not be reimbursed under this subsection.

**Vetoed in Part** (3) ~~Except as provided in subs. (4) to (6),~~ a county or municipality may receive reimbursement:

(a) For up to 10% of medical costs incurred on behalf of an individual client that are more than \$500 but not more than \$5,000 per claim; and

(b) For up to 50% of medical costs incurred on behalf of an individual client that are more than \$5,000 per claim.

~~(4) Except as provided in sub. (5), a county or municipality may receive reimbursement for up to 25% of eligible medical costs and other relief provided under s. 49.02 on or after January 1, 1986.~~

**Vetoed in Part**

~~(5) A county that elects under s. 49.03 (1) (a) to administer general relief may receive reimbursement for up to the following percentages of eligible medical costs and other relief provided under s. 49.02 during the following time periods:~~

~~(a) On or after January 1, 1988, up to December 31, 1990: 50%.~~

~~(b) On or after January 1, 1990, up to December 31, 1992: 75%.~~

~~(c) On or after January 1, 1992: 100%.~~

~~(6) No county may receive reimbursement under sub. (5) unless the county complies with any uniform standards of need established by law for the purposes of this section.~~

(7) Claims for reimbursement under subs. (2) to (5) shall be filed with the department by March 1 of the year immediately following the year in which the costs were incurred. If the funds available under s. 20.435 (4) (eb) are insufficient to reimburse all eligible costs, the funds shall be prorated.

(8) The department shall establish a uniform reporting system for use by counties and municipalities to provide the department with information relating to general relief costs.

(9) No county or municipality may receive reimbursement under this section unless the county or municipality does all of the following:

(a) Requires prior authorization by the relief administering agency or official for all nonemergency medical care that is provided.

(b) Develops a medical cost containment plan by October 1, 1983, which includes provisions to limit the inappropriate use of emergency room care or to provide case management services.

(c) Provides information to the department relating to general relief costs.

(10) In this section "medical costs" means costs for medicine, medical, chiropractic, surgical, dental, hospital and nursing care and optometrical services.

SECTION 1013. 49.037 of the statutes is created to read:

**49.037 Procedural Rights.** (1) Any person may apply for general relief. The agency administering general relief shall notify every applicant in writing of the disposition of the application within 15 working days after receipt of the application and the notice to each person whose application is denied shall contain the reasons for the denial, the evidence and policy relied upon in making the disposition and the method by which the applicant may petition the agency for a review of the denial.

(2) If the agency administering general relief decides to terminate, suspend or reduce a recipient's general relief in a continuing aid case, that decision becomes effective 10 working days after written notice of the decision is mailed to the recipient affected by the action. The written decision shall contain the reasons for the decision, the evidence and policies relied upon in making the decision and the method by which the recipient may

petition the agency to review the decision. For the purposes of this section, a reduction of a recipient's general relief does not include a reduction of the amount of a payment or voucher if the amount of the payment or voucher is based on actual costs incurred.

(3) Any person whose application for general relief is not acted upon within the time period required under sub. (1) or is denied in whole or in part, or whose general relief is terminated, suspended or reduced, may petition the agency for a review of the action. The agency shall, upon receipt of the petition, hold a hearing at a date and place convenient to the petitioner. Unless the petitioner requests a deferral of the hearing, the agency shall hold the hearing before an impartial decision maker within 10 working days after receipt of the petition.

(4) At all hearings conducted under this section, the petitioner or a representative may do all of the following:

(a) Examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing.

(b) At the petitioner's option, present the case personally or with the aid of others, including legal counsel.

(c) Bring witnesses.

(d) Establish all pertinent facts and circumstances.

(e) Question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.

(5) The petitioner shall be notified in writing within 5 working days after the hearing of the hearing decision, of the evidence and policies relied upon in reaching the decision and of the right to judicial review. The decision shall be based exclusively on evidence and other material introduced at the hearing. Appeal of the decision is to the circuit court.

SECTION 1014. 49.04 (1) of the statutes is amended to read:

49.04 (1) From the appropriation under s. 20.435 (4) (e), the state shall reimburse the counties for such temporary assistance as may be needed pursuant to s. 49.01 (7) for all dependent persons who do not have a settlement within any county in this state and who have resided in the state less than one year, but expenses for medical care shall be paid only in those cases in which application for benefits under ss. 49.46 and 49.47 has been made during the first 30-day period and ineligibility for such benefits has been established. No state reimbursement for medical care may be paid if the person is found ineligible for medical assistance because of the divestment provisions under s. 49.46 (1) (f) or 49.47 (4) (d) 49.45 (17).

~~SECTION 1014g. 49.04 (1) of the statutes, as affected by 1983 Wisconsin Act... (this act), is amended to read:~~

~~49.04 (1). From the appropriation under s. 20.435 (4) (e), the state shall reimburse the counties for such temporary assistance as may be needed pursuant to s. 49.01 (7) or municipalities for 30 consecutive days of temporary assistance for all dependent persons who do not have a settlement within any county in this state and who have resided in the state less than one year, but expenses for medical care shall be paid only in those cases in which application for benefits under ss. 49.46 and 49.47 has been made during the first 30-day period and ineligibility for such benefits has been established. Such temporary assistance may be extended beyond 30 consecutive days only if a medical emergency developing during that 30-day period requires extension. No state reimbursement for medical care may be paid if the person is found ineligible for medical assistance because of the divestment provisions provision under s. 49.45 (17).~~

~~SECTION 1015. 49.04 (2) of the statutes is amended to read:~~

**Vetoed  
in Part**

~~49.04 (2) The department shall make suitable rules and regulations governing the administration of temporary assistance under s. 49.01 (7) including the notification of reimbursement charges, the relief to be provided, the presentation of claims for reimbursement and other matters necessary to the provision of relief to such state dependent persons receiving temporary assistance. The observance of such rules and regulations by a county or municipality shall be a condition for reimbursement.~~

~~SECTION 1016m. 49.04 (3) of the statutes is amended to read:~~

**Vetoed  
in Part**

~~49.04 (3) The presentation of a claim for reimbursement shall be accompanied by a verified copy of the sworn statement required by under s. 49.11 (1) by the dependent person of the facts relating to his or her residence or by some other person who has knowledge of such facts, and an affidavit that diligent effort was made to ascertain the facts relating to the dependent's legal settlement and period of residence in the state, and reciting such other facts as the department requires. Any claim for relief furnished after June 30, 1953, shall be filed with the department on the following June 30 or not to exceed 30 days thereafter. If the department is satisfied as to the correctness of the claim it shall certify the same to the department of administration for payment to the county or municipality entitled thereto; provided that if the total amount payable to all counties and municipalities exceeds the amount available under the appropriation made in s. 20.435 (4) (e) the department shall prorate the amount available among the counties and municipalities according to the amounts due them. Any necessary audit adjustments for any current or prior fiscal years may be included in subsequent certifications.~~

~~SECTION 1017. 49.04 (4) of the statutes is amended to read:~~

~~49.04 (4) Any county or municipality aggrieved by the disallowance of its claim for reimbursement hereunder may petition the department for a hearing which shall be accorded after due notice. The department may of its own motion order such investigation and hearing as it deems necessary. Such hearing shall be governed by ch. 227.~~

SECTION 1020e. 49.046 (1) and (2) of the statutes are repealed.

SECTION 1020m. 49.046 (1) to (4) of the statutes are created to read:

49.046 (1) DEFINITIONS. In this section:

(a) "American Indian" means a person who is recognized by an elected tribal governing body in this state as a member of a federally recognized Wisconsin tribe or band of Indians.

(b) "Tax-free land" means land in this state within the boundaries of a federally recognized reservation or within the bureau of Indian affairs service area for the Winnebago tribe, which is not subject to assessment or levy of a real property tax either as a general tax or as a payment in lieu of taxes.

(2) ELIGIBILITY. A person is eligible for aid under this section if all of the following conditions exist:

(a) The person is an American Indian residing on tax-free land or is the spouse or child of such a person residing in the same household, except that no student, other than a student enrolled in a public or private primary or secondary educational institution is eligible for aid under this section.

(b) The person is ineligible to receive the type of aid needed under s. 49.177, 49.19 or 49.46.

(c) The person complies with s. 49.047.

(d) The person meets the financial standard of need as determined under s. 49.19.

(3) AID. (a) 1. From the appropriation under s. 20.435 (4) (e), the department shall pay aid to eligible persons based on family size. Payments shall be 70% of the standards specified in s. 49.19 (11) (a) 1. a (figure) and b (figure), as adjusted under s. 49.19 (11) (a) 1. d and 2, if necessary.

2. In determining family size, the administering agency shall include all eligible persons living in the same household. Only one grant per household may be paid.

3. The administering agency may make the monthly payment for a household to one adult beneficiary or it may prorate the payment among all adult beneficiaries who are included in the family size.

(b) 1. Payments for medical care may be made for any benefit authorized under s. 49.46 (2).

2. Payments shall be equal to the rates established under s. 49.45.

3. Recipients of aid for medical care are subject to the copayment provisions established under s. 49.45 (18).

(4) ADMINISTRATION. (a) The department, after consulting with all elected tribal governing bodies in this state, shall adopt rules for the uniform administration of aid under this section.

(b) The department shall appoint each elected tribal governing body administering federal assistance on tax-free land to administer this section. If a tribal governing body elects not to administer this section, the department, with the consent of the elected tribal governing body, shall appoint an American Indian organization in the county or municipality, or the county department of public welfare or social services, as the administering agency.

(c) If an administering agency fails to administer this section according to the rules adopted under par. (a), the department shall notify the administering agency of the rules it has violated, give it a reasonable opportunity to correct the violations and assist it in doing so.

(d) If the violations are not corrected, the department shall notify the administering agency of its intent to appoint another administering agency and provide it with an opportunity for a hearing before the secretary. If the administering agency is an American Indian organization, the department shall notify the elected tribal governing body of its intent to remove the organization as administering agency.

(e) If the administering agency waives a hearing under par. (d) or if the secretary determines that another administering agency should be appointed, the department shall, after consulting with the elected tribal governing body, appoint an American Indian organization in the county or municipality as the administering agency, or shall appoint the county department of public welfare or social services as the administering agency.

(f) The department, after consulting with all elected tribal governing bodies in this state, shall adopt rules establishing the allowable costs of administering this section and shall reimburse each administering agency for its allowable costs from the appropriation under s. 20.435 (4) (de).

(g) The administration of this section by any elected tribal governing body or other American Indian organization does not confer on this state jurisdiction over any American Indian tribe or organization.

SECTION 1020s. 49.046 (3) of the statutes is renumbered 49.046 (5) and amended to read:

49.046 (5) (title) FAIR HEARING AND REVIEW. Any person whose application for aid under this section is not acted upon with reasonable promptness ~~after the filing of the~~, whose application ~~or~~ is denied in whole or in part, whose award is modified or canceled or who believes the award to be insufficient may petition the department for a fair hearing and review in the manner provided under s. 49.50 (8). The procedures described in s. 49.50 (8) apply to the fair hearing and review under this subsection, except that the rights and duties of counties and county officers that administer public assistance apply to any elected tribal governing ~~bodies and elected tribal governing body officers that administer~~

~~programs for relief of needy Indian persons body or American Indian organization, and to the officers of the body or organization, that administers this section.~~ In all proceedings for judicial review arising from the administration of relief under this section, the department is the respondent. If any elected tribal governing body, American Indian organization or tribal officer fails to comply with a departmental decision issued under s. 49.50 (8) (b), the department may execute the order.

SECTION 1020v. 49.05 (1m) of the statutes is created to read:

49.05 (1m) A municipality or county that authorizes, operates or sponsors a work relief project shall establish written work relief rules.

SECTION 1021. 49.05 (7) of the statutes is amended to read:

49.05 (7) The value of work relief labor ~~shall be deemed to offset the payments made therefor and such payments shall not be recoverable under s. 49.11~~ offsets any relief payments made.

SECTION 1022. 49.05 (8) of the statutes is created to read:

49.05 (8) Any person assigned to or working on a work relief project shall comply with appropriate work relief rules established by the agency administering relief. If a person fails to comply with appropriate work relief rules the relief agency may discontinue or deny general relief benefits to such person for a period not to exceed 30 days.

SECTION 1023. 49.08 (1) of the statutes is renumbered 49.08 and amended to read:

**49.08 Recovery of relief paid.** If any person is the owner of property at the time of receiving relief under this chapter or as an inmate of any county or municipal institution in which the state is not chargeable with all or a part of the inmate's maintenance or as a tuberculosis patient provided for in ch. 149 and s. 58.06, or at any time thereafter, ~~is the owner of property~~ or if such person becomes self-supporting, the authorities charged with the care of the dependent, or the board in charge of the institution, may sue for the value of the relief from such person or the person's estate; but except as hereinafter provided the 10-year statute of limitations may be pleaded in defense in any such action to recover relief. Where the relief recipient is deceased, a claim may be filed against the decedent's estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse, surviving spouse or child is dependent on such property for support. The court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for such community or as fixed by the authorities of such community in charge of public assistance. The records kept by the municipality, county or institution are prima facie evidence of the value of the relief furnished. This section shall not apply to any person who receives care for pulmonary tuberculosis as provided in s. 149.04.

~~SECTION 1024a. 49.10 (1) to (10) and (12) of the statutes are renumbered 46.105 (1) to (11), and 46.105 (3) (a) and (b) and (4) (intro.), as renumbered, are amended to read:~~

**Vetoed  
in Part**

~~46.105 (3) (a) Any person, except as otherwise provided in this section, without a settlement in any municipality in a county (which is not operating on the county system) who voluntarily resides in that county one whole year without the receipt of aid, public or private, as a dependent person, gains a settlement in the county. That which interrupts residence toward the gaining or losing of settlement in a municipality likewise interrupts residence toward the gaining or losing of a county settlement. Every such settlement continues until it is lost by acquiring a new one in this state or by so residing for one whole year elsewhere than the county of settlement or by so residing one whole year in a municipality within the county of settlement, and the residence which went toward gaining the county settlement shall, if voluntarily in the municipality, be included toward the gaining of settlement in the municipality.~~

~~(b) Any person who has a settlement in any municipality in a county (which is not operating on the county system) who resides elsewhere than said municipality for one whole year so as to lose his or her settlement in the municipality, but does not gain a settlement in another municipality in the county, and does not reside outside the county for one whole year, so as to lose settlement, has a settlement in the county.~~

~~(4) (intro.) Every person (except as otherwise provided in this section) who voluntarily resides in any municipality or county operating on the county system one whole year without receiving aid, either public or private, as a dependent person, gains a legal settlement therein. Residence by a person within this state under the following circumstances shall not be considered as voluntary and shall be considered as interrupted, and no settlement status shall be changed:~~

~~SECTION 1024am. 49.10 (11) of the statutes is repealed.~~

~~SECTION 1024b. 49.11 (title) of the statutes is amended to read:~~

~~49.11 (title) **Place of residence; collection from.**~~

~~SECTION 1024c. 49.11 (1) of the statutes is amended to read:~~

~~49.11 (1) (title) SWORN STATEMENT OF RESIDENCE. When relief is furnished to a dependent person, either that person, if able, or some other person who has knowledge of the facts, shall make a sworn statement of facts relating to residence and settlement, which shall be incorporated into the nonresident notice. In this section, "relief" means medical and dental care provided under s. 49.02 on or after January 1, 1988.~~

~~SECTION 1024d. 49.11 (1m) of the statutes is created to read:~~

~~49.11 (1m) RESIDENCE ESTABLISHED. A person's residence is established by the voluntary concurrence of his or her physical presence with intent to remain in a place of fixed habitation. Physical presence shall be prima facie evidence of intent to remain.~~

~~SECTION 1024e. 49.11 (2) (intro.) and (a) (title) and (b) of the statutes are amended to read:~~

~~49.11 (2) (title) RIGHT TO COLLECT FROM PLACE OF RESIDENCE. (intro.) The county or municipality in which the relief recipient has settlement residence shall be chargeable with relief furnished, except that no county or municipality may be charged for relief furnished to any recipient who has not resided within such county or municipality during the previous 24 months. If the relief recipient has no settlement in this state, or if he or she has not resided in the county or municipality of legal settlement during the previous 24 months, then the county where the relief is furnished shall be chargeable with such relief. The state shall reimburse for relief charges when the person has no settlement and until such person has had residence resided in this state for a period of less than one year, under s. 49.04. All notices of claims to the department or to counties or municipalities of legal settlement residence for reimbursement for general relief provided by other counties or municipalities, in or outside the county of legal settlement residence, shall be accompanied by a sworn statement of the relief granting agency. The statement shall certify that the relief recipient has been informed of the benefits and eligibility requirements under the federally funded medical and public assistance program and that such recipient has been determined to be ineligible by the relief granting agency if the recipient is clearly ineligible or, otherwise, by the appropriate county agency, along with an explanation of the reasons for such ineligibility, or that an application for medical or public assistance is pending or approved.~~

~~(a) (title) *When the furnishing municipality is without the county of residence.* 1. When the relief recipient claims to have settlement residence outside of the county in which relief is furnished, the relief furnished shall be a charge against the county in which the relief is furnished. Such charge shall be audited by a committee designated for such purpose by the county board and shall be paid by the county of the municipality furnishing the relief within 60 days of the receipt of the voucher or claim. Thereafter such~~

county may recover from the county of ~~settlement~~ residence, and the latter county may, except when operating under the county system of relief, recover from the municipality of ~~settlement~~ residence.

SECTION 1024f. 49.11 (2) (b) of the statutes is amended to read:

49.11 (2) (b) (title) *When furnishing municipality is within county of residence*. When operating under the municipal system and the relief recipient claims to have ~~settlement~~ residence in a municipality within the same county, the relief furnished shall be a charge against such municipality and may be recovered by the furnishing municipality directly.

SECTION 1024g. 49.11 (2) (c) of the statutes is repealed.

SECTION 1024h. 49.11 (3) (a) of the statutes is amended to read:

49.11 (3) (a) That the ~~settlement~~ residence is not in the municipality or county as claimed.

SECTION 1024i. 49.11 (4) (intro.), (a) and (b) 1 of the statutes are amended to read:

49.11 (4) PROCEDURES FOR RECOVERY. (intro.) When the municipality furnishing relief is not the municipality of ~~settlement~~ residence, a nonresident notice shall be served upon the municipality of claimed ~~settlement~~ residence. Such nonresident notice shall be on a standard form prescribed by the department and shall contain the name of the municipality or county furnishing relief; the name, residence and birth dates of the persons receiving relief and of all the members of the household; the name of the county or municipality in which ~~settlement~~ residence is claimed and the facts upon which such claim is based; the date on which relief was first furnished; and a copy of the sworn statement as described in sub. (1). The effect of this nonresident notice shall lapse when there is no general relief furnished to the person or the person's family for a period of 6 months. The effect of the nonresident notice may be reinstated, at any time, by notice on forms prescribed by the department, by certified mail by the furnishing municipality or county to the municipality or county chargeable, within 30 days after the new relief is furnished, after such lapse of 6 months, and forwarded in the same manner as the original nonresident notice.

(a) *Reply to nonresident notice*. The municipality or county of claimed ~~settlement~~ residence shall deny or acknowledge ~~settlement~~ residence within 20 days after receipt of the nonresident notice, and if denied, such denial shall contain all the facts upon which the denial is based. Failure to deny ~~settlement~~ residence shall be considered as an acknowledgment of ~~settlement~~ residence as claimed until such denial is filed.

(b) 1. When ~~settlement~~ residence is claimed in a county or a municipality in other than the furnishing county, the nonresident notice shall be completed by the furnishing municipality or county, and transmitted to the county clerk of the county where the relief was furnished, except in counties on the county system where the county clerk is the initiating agent, who shall transmit said notice to the county clerk of the county in which ~~settlement~~ residence is claimed. In counties operating under the municipal system of relief, the county clerk shall forward such nonresident notice to the clerk of the municipality of claimed ~~settlement~~ residence.

SECTION 1024j. 49.11 (4) (b) 3 and 4 of the statutes are amended to read:

49.11 (4) (b) 3. When verified claims are received by the county clerk from the municipality furnishing relief and payment to the municipality is made under sub. (2) (a) 1, such clerk shall, within 75 days from the date of receipt of the claim, forward a verified claim on forms prescribed by the department, to the clerk of the county where ~~settlement~~ residence is claimed. In counties operating under the municipal system, the county clerk shall forward such claim to the clerk of the municipality of claimed ~~settlement~~ residence within 7 days after the receipt thereof. When operating under the county system of relief, verified claims received from the county relief agency under par. (e) 3 shall be forwarded

~~within 75 days from the date such claim is received, on forms prescribed by the department, to the clerk of the county where a settlement residence is claimed.~~

~~4. Allowances or disallowances shall be sent to the clerk of the furnishing county with a copy to the clerk of the county of claimed settlement residence. The municipality or county of claimed settlement residence shall, upon receipt of the claim for reimbursement, either allow or disallow such claim. Failure to allow such claim for the period hereinafter indicated shall be deemed a disallowance thereof.~~

Vetoed  
in Part

~~SECTION 1024k. 49.11 (4) (c) of the statutes is amended to read:~~

~~49.11 (4) (c) *Transmittal of notice, replies and claims between units in same county.* When the furnishing municipality and the municipality of claimed settlement residence are within the same county, all nonresident notices, denials or acknowledgments, claims and allowances or disallowances shall be filed directly with the clerks of the respective municipalities.~~

~~SECTION 1024L. 49.11 (4) (d) of the statutes is repealed.~~

~~SECTION 1024m. 49.11 (4) (e) 1 of the statutes is amended to read:~~

~~49.11 (4) (e) 1. All filings and mailings shall be done by certified or registered mail. The nonresident notice and statement concerning residence shall be initially filed and transmitted within 20 45 days of the date of furnishing relief. The forwarding agents shall forward such notices within 7 days of the receipt thereof.~~

~~SECTION 1024n. 49.11 (4) (e) 2 of the statutes is amended to read:~~

~~49.11 (4) (e) 2. The acknowledgment or denial of settlement residence shall be transmitted within 20 days of the receipt of the nonresident notice.~~

~~SECTION 1024o. 49.11 (4) (e) 4 and (f) 1 of the statutes are amended to read:~~

~~49.11 (4) (e) 4. Disallowance or allowance of claims by the municipality or county of claimed settlement residence shall be transmitted within 60 days of receipt of the claim for reimbursement, and failure to allow or disallow within such period shall be deemed a disallowance.~~

Vetoed  
in Part

~~(f) 1. Failure timely to initiate or transmit a nonresident notice or an acknowledgment or denial shall be a bar to recovery or a right to deny recovery until such notices are received. If the furnishing municipality or county claims settlement the residence of a relief recipient to be in a municipality in a county operating under a municipal system, and later discovers that settlement residence is in another municipality within the same county, an amended nonresident notice may be filed, and if done within 40 days of the date on which relief is furnished, such notice shall revert to the date on which such relief was first furnished.~~

~~SECTION 1025m. 49.177 (3s) of the statutes is created to read:~~

~~49.177 (3s) INCREASED SUPPLEMENTAL PAYMENT IN CERTAIN CASES. The department shall authorize the payment of a state supplement to any person receiving payments under this section who resides in a residential setting in an amount equal to the state supplement paid to persons living in nonmedical group homes if all of the following conditions are met:~~

~~(a) A recognized case management agency conducts an assessment and develops a case plan for the person in the manner provided under s. 46.27 (6).~~

~~(b) The person receives at least 10 hours of supportive home care per week through a department of public welfare and social services created under s. 46.22 or 49.51 or a board created under s. 46.23, 51.42 or 51.437.~~

~~(c) The person receives case management services from a recognized case management agency which include on-sight monitoring of the person and contact by the case management agency with the person and his or her provider of supportive home care at least once every 3 months.~~

**Vetoed  
in Part** (d) There are no more than a total of 8 persons living in the residence in which the person resides who are receiving a state supplement as provided in this subsection. ~~The department may waive the requirement under this paragraph.~~

SECTION 1026. 49.19 (1) (a) 1 of the statutes is amended to read:

49.19 (1) (a) 1. Has been deprived of parental support or care by reason of the death, continued absence from the home other than absence occasioned solely by reason of the performance of active duty in the uniformed services of the United States, unemployment or incapacity of a parent; and

SECTION 1026m. 49.19 (1) (a) 2. a of the statutes is amended to read:

49.19 (1) (a) 2. a. Is living with ~~his or her father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousins, nephews or nieces~~ a parent; a blood relative, including those of half-blood, and including first cousins, nephews or nieces and persons of preceding generations as denoted by prefixes of grand, great or great-great; a stepfather, stepmother, stepbrother or stepsister; a person who legally adopts the child or is the adoptive parent of the child's parent, a natural or legally adopted child of such person or a relative of an adoptive parent; or a spouse of any person named in this subparagraph even if the marriage is terminated by death or divorce; and is living in a residence maintained by one or more of these relatives as the child's or their own home, or living in a residence maintained by one or more of these relatives as the child's or their own home because the parents of the child have been found unfit to have care and custody of the child; or

SECTION 1027. 49.19 (2) (d) of the statutes is amended to read:

49.19 (2) (d) Eligibility for aid to families with dependent children for any month shall be based on estimated income, resources, family size and other similar relevant circumstances during that month. The amount of aid for any month shall be based on income and other relevant circumstances in the first or, at the option of the department, the 2nd month preceding such a month, except that the amount of aid in the first ~~and month or, at the option of the department, the first and~~ 2nd months of a period of consecutive months for which aid is payable is based on estimated income and other relevant circumstances in ~~the~~ such first month or first and and 2nd months. The department may, by rule, establish payment and reporting months as needed to administer this paragraph.

SECTION 1028. 49.19 (3) (a) of the statutes is amended to read:

49.19 (3) (a) After the investigation and report and a finding of eligibility, aid as defined in sub. (1) shall be granted by the county welfare or social services department as the best interest of the child requires. No such aid shall be furnished any person for any period during which that person is receiving supplemental security income or for any month if, on the last day of the month, that person is participating in a strike or to any person who fails to apply for or provide such social security account numbers as required by federal law.

SECTION 1029. 49.19 (3) (b) of the statutes is amended to read:

49.19 (3) (b) If the county agency finds a person eligible for aid under this section, such agency shall, on a form to be prescribed by the department, direct the payment of such aid by order upon the ~~county clerk or county state treasurer of the county~~. Payment of aid shall be made monthly, based on a calendar month or fiscal month as defined by the department; except that the director of the county agency may, in his or her discretion for the purpose of protecting the public, direct that the monthly allowance be paid in ~~2 or more instalments~~ accordance with sub. (5) (c).

SECTION 1031. 49.19 (4) (ds) of the statutes is created to read:

49.19 (4) (ds) Aid may not be paid to any person who fails to meet any applicable requirements of a community work experience program established under s. 46.22 (4) (n) or 49.51 (2) (a) 15.

SECTION 1032. 49.19 (4) (g) 2 of the statutes is amended to read:

49.19 (4) (g) 2. Aid to a pregnant woman who is otherwise eligible but has no children is available from the first day of the month in which the 7th month of pregnancy begins or the ~~first day of the month in which~~ date the woman applies submits a signed and completed application for aid to the county department of public welfare or social services, whichever is later, if the pregnancy is medically verified. The pregnant woman has a family size of one for grant determination purposes under sub. (11) (a) and is additionally eligible for a \$60 monthly payment.

SECTION 1033. 49.19 (4) (h) 1. (intro.) and a of the statutes are consolidated, renumbered 49.19 (4) (h) 1. a and amended to read:

49.19 (4) (h) 1. a. As a condition of eligibility for assistance under this section, the person charged with the care and custody of the dependent child or children shall ~~a-~~ Fully fully cooperate in efforts directed at establishing the paternity of a child born out of wedlock and obtaining support payments or any other payments or property to which ~~such~~ that person and the dependent child or children may have rights. Such cooperation shall be in accordance with federal law, rules and regulations applicable to paternity establishment and collection of support payments.

SECTION 1034. 49.19 (4) (h) 1. b of the statutes is repealed and recreated to read:

49.19 (4) (h) 1. b. When any person applies for aid under this section, any right of the parent or any dependent child to support or maintenance from any other person, including any right to unpaid amounts accrued at the time of application and any right to amounts accruing during the time aid is paid under this section, is assigned to the state.

SECTION 1035. 49.19 (4) (h) 2 of the statutes is amended to read:

49.19 (4) (h) 2. If the person charged with the care and custody of the dependent child or children does not comply with the requirements of subd. ~~1, such 1. a,~~ that person shall be ineligible for assistance under this section. In such instances, aid payments made on behalf of the dependent child or children shall be made in the form of protective payments.

SECTION 1036. 49.19 (4) (j) of the statutes is repealed.

SECTION 1037. 49.19 (5) (e) of the statutes is amended to read:

49.19 (5) (e) No aid may continue longer than 6 months without reinvestigation, ~~except that the first reinvestigation of eligibility shall occur within 90 days after eligibility is determined.~~ The county welfare departments shall submit information, at such times and in such form as the department requires, detailing the number of redeterminations completed, the number overdue and the length of time they are overdue. The department shall recertify a 10% random sample of all recipients in person every 6 months.

SECTION 1038. 49.19 (11) (a) 1. a of the statutes is amended to read:

49.19 (11) (a) 1. a. Monthly payments made under s. 20.435 (4) (d) to persons or to families with dependent children shall be based on family size and shall be at 85% of the following standards for the period from July 31, 1981 to September 30, 1982 the first day of the first month beginning at least 20 days after the effective date of this subdivision (1983), to June 30, 1984. [See Figure 49.19 (11) (a) 1. a. following]

**Figure: 49.19 (11) (a) 1. a.**

FAMILY SIZE	AREA I		AREA II	
	<del>266</del>	<u>290</u>	<del>258</del>	<u>281</u>
1	<del>472</del>	<u>513</u>	<del>458</del>	<u>498</u>
2	<del>556</del>	<u>604</u>	<del>539</del>	<u>585</u>
3	<del>662</del>	<u>720</u>	<del>642</del>	<u>699</u>
4	<del>761</del>	<u>827</u>	<del>738</del>	<u>803</u>
5	<del>822</del>	<u>894</u>	<del>797</del>	<u>867</u>
6	<del>891</del>	<u>968</u>	<del>864</del>	<u>939</u>
7	<del>945</del>	<u>1,026</u>	<del>917</del>	<u>996</u>
8	<del>990</del>	<u>1,075</u>	<del>960</del>	<u>1,042</u>
9	<del>1,013</del>	<u>1,100</u>	<del>983</del>	<u>1,067</u>
10				

SECTION 1038m. 49.19 (11) (a) 1. b. (intro.) of the statutes is amended to read:

49.19 (11) (a) 1. b. (intro.) Payments made from ~~October 1, 1982~~ July 1, 1984, to June 30, ~~1983~~ 1985, shall be at 85% of the following standard: [See Figure 49.19 (11) (a) 1. b. following]

**Figure: 49.19 (11) (a) 1. b.**

FAMILY SIZE	AREA I		AREA II	
	<del>284</del>	<u>302</u>	<del>275</del>	<u>292</u>
1	<del>503</del>	<u>534</u>	<del>488</del>	<u>518</u>
2	<del>592</del>	<u>628</u>	<del>574</del>	<u>608</u>
3	<del>706</del>	<u>749</u>	<del>686</del>	<u>727</u>
4	<del>811</del>	<u>860</u>	<del>787</del>	<u>835</u>
5	<del>876</del>	<u>930</u>	<del>850</del>	<u>902</u>
6	<del>949</del>	<u>1,007</u>	<del>921</del>	<u>977</u>
7	<del>1,006</del>	<u>1,067</u>	<del>976</del>	<u>1,036</u>
8	<del>1,054</del>	<u>1,118</u>	<del>1,022</del>	<u>1,084</u>
9	<del>1,078</del>	<u>1,144</u>	<del>1,046</del>	<u>1,110</u>
10				

SECTION 1040. 49.19 (11) (a) 1. d of the statutes is created to read:

49.19 (11) (a) 1. d. All payments that are not whole dollar amounts shall be rounded down to the nearest whole dollar.

SECTION 1041. 49.19 (11) (a) 4 of the statutes is created to read:

49.19 (11) (a) 4. The amount of payment determined under this paragraph shall be reduced by an amount determined by the department for shelter costs when persons or families with dependent children live as a household with persons not receiving aid under this section. The department shall establish a formula to determine the amount of reduction. For purposes of determining the amount of reduction, the percentage of the applicable standards of need and payment that is attributable to shelter costs is deemed to be 15%. A minor who is not a dependent child may not be counted as a member of a household and any person receiving aid under 42 USC 1382 may not be counted as a member of a household in any month in which the person receives a one-third reduction under 42 USC 1382a (a) (2) (A) (i). This subdivision does not apply to persons eligible to receive aid under sub. (10). The department may ~~by rule~~ exempt categories of recipients from this subdivision.

**Vetoed  
in Part**

SECTION 1042. 49.19 (12) of the statutes is amended to read:

49.19 (12) Monthly payments in foster care shall be provided according to the following age-related rates beginning January 1, ~~1981: \$139~~ 1983: \$153 for children aged 4 and under; ~~\$180~~ \$198 for children aged 5 to 11; ~~\$202~~ \$222 for children aged 12 to 14 and ~~\$231~~ \$254 for children aged 15 to 17. In addition to these grants for basic maintenance, supplemental payments for special needs and initial clothing allowances shall be made according to rules which the department shall promulgate. Beginning January 1, ~~1982~~ 1984, the age-related rates shall be: ~~\$146~~ \$156 for children aged 4 and under; ~~\$189~~ \$208 for children aged 5 to 11; ~~\$212~~ \$243 for children aged 12 to 14 and ~~\$243~~ \$264 for children aged 15 to 17. Beginning January 1, ~~1983~~ 1985, the age-related rates shall be: ~~\$153~~ \$160 for children aged 4 and under; ~~\$198~~ \$217 for children aged 5 to 11; ~~\$222~~ \$265 for children aged 12 to 14 and ~~\$254~~ \$275 for children aged 15 to 17.

SECTION 1043. 49.19 (14) of the statutes is created to read:

49.19 (14) (a) If any check or draft drawn and issued for payment of aid under this section is lost, stolen or destroyed, the department shall request a replacement as provided under s. 20.912 (5).

(b) If the state treasurer is unable to issue a replacement check or draft requested under par. (a) because the original has been paid, the department shall promptly authorize the issuance of a replacement check or draft. If the state treasurer recovers the amount of the original check or draft that amount shall be returned to the department. If the state treasurer is unable to obtain recovery, the department may pursue recovery.

SECTION 1044. 49.195 (1) of the statutes is amended to read:

49.195 (1) If any parent at the time of receiving aid under s. 49.19 or at any time thereafter acquires property by gift, inheritance, sale of assets, court judgment or settlement of any damage claim, or by winning a lottery or prize the county granting such aid may sue the parent on behalf of the department to recover the value of that portion of the aid which does not exceed the amount of the property so acquired. During the life of the parent, the 10-year statute of limitations may be pleaded in defense against any suit for recovery under this section; and if such property is his or her homestead it shall be exempt from execution on the judgment of recovery until his or her death or sale of the property, whichever occurs first. Notwithstanding the foregoing restrictions and limitations, where the aid recipient is deceased a claim may be filed against any property in his or her estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse or child is dependent on the property for support, and the court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for the community or as fixed by the authorities of the community in charge of public assistance. The records of aid paid kept by the county or by the department are prima facie evidence of the value of the aid furnished. Liability under this section shall extend to any parent or stepparent whose family receives aid under s. 49.19 during the period he or she is a member of the same household, but his or her liability is limited to such period. This section does not apply to medical and health assistance payments for which recovery is prohibited or restricted by federal law or regulation.

SECTION 1045. 49.195 (3) of the statutes is repealed and recreated to read:

49.195 (3) Notwithstanding s. 49.41, the department shall promptly recover all overpayments made under s. 49.19 and shall adopt rules establishing policies and procedures to administer this subsection.

SECTION 1046. 49.45 (2) (a) 19 of the statutes is amended to read:

49.45 (2) (a) 19. Determine for each community mental health board created under s. 51.42 a base level of medical assistance expenditures for inpatient psychiatric care including alcohol or other drug abuse treatment services for persons age 22 to 64, in order to implement s. 49.46 (2) (b) 7. In making this determination the department shall consider admissions by county of residence, sharing cost savings and other factors to provide incentives to control utilization of these services in hospitals other than psychiatric or mental hospitals. The department shall ~~transfer or credit, subject to the final base determination methodology,~~ allocate funds to the boards from the appropriation under s. 20.435 ~~(4) (4)~~ (b) equal to 20% of the base level of expenditures each year, ~~if the board operates a special hospital under s. 51.42 (8) (e) or a county-owned or county-operated special hospital licensed under s. 50.33 (1) (c) is located within the jurisdiction of the board, or funds equal to 10% of the base level of expenditures each year, if the board does not operate a special hospital~~ no county-owned or county-operated special hospital is located within the jurisdiction of the board. The board may apply these funds against its liability for psychiatric services provided in any hospital. Funds applied by any board against this liability shall be transferred or credited to the appropriation under s. 20.435 (1) (b). The board may retain the funds it receives under this subdivision that it does not apply against its liability for psychiatric services provided in any hospital, if it uses the funds to provide noninstitutional community programs. ~~The transfer of funds and base determination methodology are subject to approval of the joint committee on finance~~ The board may retain up to 50% of these funds remaining unexpended at the end of the calendar year for expenditure on noninstitutional community programs during the succeeding year.

**Vetoed  
in Part**

SECTION 1047. 49.45 (3) (e) 1 of the statutes is repealed and recreated to read:

49.45 (3) (e) 1. The department may develop, implement and periodically update methods for reimbursing hospitals for allowable services, care or commodities provided a recipient. The methods may include standards and criteria for limiting any given hospital's total reimbursement to that which would be provided to an economically and efficiently operated facility.

SECTION 1048. 49.45 (3) (e) 2 of the statutes is created to read:

49.45 (3) (e) 2. A hospital whose reimbursement is determined on the basis of the methods developed and implemented under subd. 1 shall annually prepare a report of cost and other data in the manner prescribed by the department.

SECTION 1049. 49.45 (3) (e) 3 of the statutes is repealed.

SECTION 1050. 49.45 (3) (e) 4 of the statutes is amended to read:

49.45 (3) (e) 4. Total reimbursement for an entire hospital for allowable services, care or commodities provided recipients during the hospital's fiscal year is may not exceed the lower of the hospital's charges for the services or the actual and reasonable allowable costs to the hospital of providing the services.

SECTION 1051. 49.45 (3) (e) 5 and 6 of the statutes are repealed.

SECTION 1051g. 49.45 (3) (e) 7 of the statutes is amended to read:

49.45 (3) (e) 7. The daily reimbursement rate to a hospital for services provided to medical assistance recipients awaiting admission to a skilled nursing home ~~or~~, intermediate care facility, community-based residential facility, group home, foster home or other custodial living arrangement may not exceed the maximum reimbursement rate based on the average adjusted state skilled nursing facility rate, created under sub. (6m). This limited reimbursement rate to a hospital commences on the date the department, through its own data or information provided by hospitals, determines that continued hospitalization is no longer medically necessary or appropriate during a period where the recipient awaits nursing-home placement in an alternate custodial living arrangement. The department may contract with a professional standards review organization, estab-

lished under 42 USC 1320c to 1320c-22, to determine that continued hospitalization of a recipient is no longer necessary and that admission to ~~a skilled or intermediate care nursing facility~~ an alternate custodial living arrangement is more appropriate for the continued care of the recipient. In addition, the department may contract with a professional standards review organization to determine the medical necessity or appropriateness of physician services or other services provided during the period when a hospital patient awaits placement in an alternate custodial living arrangement.

SECTION 1051m. 49.45 (3) (e) 11 of the statutes is created to read:

49.45 (3) (e) 11. Notwithstanding subds. 1 to 10, the department may authorize the hospital rate-setting commission to determine reimbursement rates under ch. 54 or s. 146.60.

SECTION 1051r. 49.45 (3) (f) 2m of the statutes is amended to read:

49.45 (3) (f) 2m. The department shall ~~deny any provider claim or~~ adjust reimbursement claims for hospital services that are provided during a period when the recipient awaits ~~nursing home placement or~~ in an alternate custodial living arrangement under par. (e) 7 and that fail to meet criteria the department may establish concerning medical necessity or appropriateness for hospital care. In addition, the department shall deny any provider claim for services that fail to meet criteria the department may establish concerning medical necessity or appropriateness.

SECTION 1052. 49.45 (6) of the statutes is created to read:

49.45 (6) PILOT PROGRAM REALLOCATING FUNDS FOR MENTAL HEALTH CARE. (a) The department may select up to 5 community mental health boards created under s. 51.42 or community human services boards created under s. 46.23 that volunteer to participate in a pilot program beginning January 1, 1984, concerning the provision of all mental health care by medical assistance. For each participating board the department shall determine a base level of medical assistance expenditures for all mental health care funded by medical assistance, including alcohol and other drug abuse treatment, for persons of all ages. The department shall transfer or credit funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (4) (b) equal to the state share of this base level of expenditures, for payment to participating boards. The department's method of determining each board's base level of funding and the transfer or credit of funds are subject to the approval of the joint committee on finance.

(b) Each community mental health board or community human services board that participates in this pilot program is liable for the entire nonfederal share of medical assistance expenditures for mental health, including alcohol and other drug abuse treatment. Mental health services for medical assistance recipients may be paid by medical assistance only if authorized by the board. Each board may apply the funds it receives under par. (a) against this liability. Funds applied by each board against this liability shall be transferred or credited to the appropriation under s. 20.435 (1) (b). The board may use the funds received that it does not apply against this liability for noninstitutional community programs. ~~The board may retain up to 50% of these funds remaining unexpended at the end of the calendar year for expenditure on noninstitutional community programs during the succeeding year.~~ **Vetoed in Part**

SECTION 1052m. 49.45 (6m) (b) of the statutes is amended to read:

49.45 (6m) (b) Such charges for ancillary materials and services as would be incurred by a prudent buyer may be included as an adjustment to the rate determined by par. (a) when so determined by the department. The department may not authorize any adjustments to the rate established under par. (a) to pay for a cost overrun that the department fails to approve under s. 150.11 (3). The department may promulgate rules setting forth conditions and limitations to this paragraph.

SECTION 1053. 49.45 (6m) (e) (intro.) of the statutes is amended to read:

49.45 (6m) (e) (intro.) The department shall establish an appeals mechanism within the department to review petitions from licensed nursing homes providing skilled, intermediate, limited, personal ~~and or residential care, or providing care for the mentally retarded~~ for modifications to any reimbursement rate under this subsection. ~~Upon review, the secretary of health and social services shall grant the modifications, which may exceed maximums under this section but may not exceed any applicable federal maximums.~~ The department may, upon the presentation of facts, ~~grant modifications of a home's care rate where~~ modify a nursing home's reimbursement if demonstrated substantial inequities exist for the period appealed. ~~Upon review of the department's decision the secretary may grant the modifications, which may exceed maximum reimbursement levels allowed under this subsection but may not exceed federal maximum reimbursement levels.~~ The department shall develop specific criteria and standards for granting ~~rate reimbursement~~ modifications, and shall take into account the following, without limitation because of enumeration, in ~~granting the modifications~~ reviewing petitions for modification:

SECTION 1054. 49.45 (6m) (e) 5 of the statutes is amended to read:

49.45 (6m) (e) 5. The existence and effectiveness of specialized programs for the chronically mentally ill or developmentally disabled.

SECTION 1055. 49.45 (6m) (i) 2 of the statutes is amended to read:

49.45 (6m) (i) 2. Reimbursement for ~~lower levels of nursing personal or residential care~~ is available for a person in a facility certified under 42 USC 1396 to 1396K only if the person entered a facility before the date specified in subd. 1 and has continuously resided in a facility since the date specified in subd. 1, ~~or if. If the person has a primary diagnosis of developmental disabilities or chronic mental illness, reimbursement for personal or residential care is available only if the person entered a facility on or before the first day of the 4th month following the effective date of this subdivision (1983).~~

SECTION 1055m. 49.45 (7) (a) of the statutes is amended to read:

49.45 (7) (a) To assure that patients in a public medical institution or any accommodated person, having a monthly income exceeding the payment rates established under s. 1611 (e) of federal Title XVI, has certain income available for personal needs, such individuals may retain unearned income in the amount of ~~\$35 prior to August 1, 1979 and \$45~~ \$42.50 prior to July 1, 1984, and \$40 on and after that date. Income in excess of that allowed shall be applied toward the cost of care in the facility.

SECTION 1056. 49.45 (16) of the statutes is repealed and recreated to read:

49.45 (16) CERTIFICATION. On or after January 1, 1984, the department may only continue to certify as a medical assistance provider a community-based residential facility that is so certified on December 31, 1983. On or after January 1, 1984, no community-based residential facility may be certified for more beds than the number for which it was certified on December 31, 1983.

SECTION 1057. 49.45 (17) of the statutes is created to read:

49.45 (17) DIVESTMENT. (a) In this subsection, "resource" does not include any resource excluded when determining eligibility for supplemental security income under 42 USC 1382b (a). For the purposes of this subsection the value of any resource is its fair market value at the time it was disposed of, minus the amount of compensation received for the resource.

(b) In determining the resources of each applicant for medical assistance or in redetermining a recipient's eligibility for medical assistance, the department shall include any resource the applicant or recipient has disposed of for less than its fair market value, if the disposal occurred within 24 months preceding the determination. The department shall presume that the disposal occurred for the purpose of establishing eligibility for medical assistance, unless the person provides convincing evidence to the contrary.

(c) 1. If the uncompensated value of resources disposed of by an applicant or recipient exceeds \$12,000, the department shall find that person ineligible for medical assistance. If the department holds the person ineligible for medical assistance for a period exceeding 24 months, the period of ineligibility shall be reasonably related to the uncompensated value of the resources.

2. If the uncompensated value of resources disposed of by an applicant or recipient is less than or equal to \$12,000, the department may find that person ineligible for medical assistance until the uncompensated value of these resources is expended for the person's maintenance needs. In this subdivision, "maintenance needs" include needs for medical care.

(d) Any person described in section 1917 (c) (2) (B) of the federal social security act, as created by P.L. 97-248, section 132, who disposes of a home for less than its fair market value is ineligible for medical assistance to the extent authorized by that section.

(e) This subsection is subject to the limitations specified in section 1917 (c) of the federal social security act, as created by P.L. 97-248, section 132. This subsection does not apply to the disposal of any resource before the effective date of this subsection (1983).

SECTION 1058. 49.45 (18) (intro.) of the statutes is amended to read:

49.45 (18) RECIPIENT COST SHARING. (intro.) Except as provided in pars. (a) and (b), to (c), any person eligible for medical assistance under s. 49.46 or 49.47 shall pay up to the maximum amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided under s. 49.46 (2) (a), ~~as approved by the joint committee on finance, and for all services provided under s. 49.46 (2) (b) including transportation services provided through counties.~~ The service provider shall collect the allowable copayment, coinsurance or deductible. The department shall reduce payments to each provider by the amount of the allowable copayment, coinsurance or deductible. ~~The department shall seek a waiver of federal cost sharing requirements that would prevent recipient copayments, coinsurance or deductibles for medical services provided under s. 49.46 (2) (a). No provider may deny care or services because the recipient is unable to share costs, but an inability to share costs specified in this subsection does not relieve the recipient of liability for these costs.~~ Liability under this subsection is limited by the following provisions:

SECTION 1059. 49.45 (18) (b) (intro.) and 1 of the statutes are amended to read:

49.45 (18) (b) (intro.) The following persons services are not liable subject to recipient cost sharing under this subsection:

1. Any service provided to a person receiving care as an inpatient in a skilled nursing home or intermediate care facility certified under 42 USC 1396 to 1396k.

SECTION 1060. 49.45 (18) (b) 2 of the statutes is repealed and recreated to read:

49.45 (18) (b) 2. Any service provided to a person who is less than 18 years old.

SECTION 1061. 49.45 (18) (b) 3 to 9 of the statutes are created to read:

49.45 (18) (b) 3. Any service provided under s. 49.46 (2) to a pregnant woman, if the service relates to the pregnancy or to other conditions that may complicate the pregnancy.

4. Emergency services.

5. Family planning services.

6. Transportation by specialized medical vehicle.

7. Home health services or, if a home health agency is unavailable, nursing services.

8. For any recipient who chooses a primary provider physician, services provided by that physician during the first 2 visits of any month.

9. Laboratory and X-ray services.

SECTION 1062. 49.45 (18) (c) of the statutes is created to read:

49.45 (18) (c) The department may limit any medical assistance recipient's liability under this subsection for services it designates.

SECTION 1062m. 49.45 (18) (d) of the statutes is created to read:

49.45 (18) (d) No person who designates a pharmacy or pharmacist as his or her sole provider of prescription drugs and who so uses that pharmacy or pharmacist is liable under this subsection for more than \$5 per month for prescription drugs received.

SECTION 1063. 49.46 (1) (a) 1 of the statutes is amended to read:

49.46 (1) (a) 1. Any person included in the grant of aid to families with dependent children and any person who is ineligible to receive such aid solely because of the application of s. 49.19 (11) (a) 1. d.

SECTION 1064. 49.46 (1) (f) of the statutes is repealed.

~~SECTION 1065m. 49.46 (2) (b) 6. f of the statutes is amended to read:~~

**Vetoed  
in Part** ~~49.46 (2) (b) 6. f. Medical day treatment services and other mental health services, including services provided by a psychiatrist, purchased or provided by a community mental health board created under s. 51.42 for the county in which the patient resides. The board that authorizes the service is liable for 10% of the rate established by the department for these services. The board and the department of public welfare or social services for the county in which the patient resides shall develop a written agreement for programs for persons requiring these mental health services.~~

SECTION 1066. 49.46 (2) (b) 7 of the statutes is amended to read:

49.46 (2) (b) 7. ~~Beginning January 1, 1982, inpatient~~ Inpatient psychiatric care, including alcohol and other drug abuse treatment services, for persons age 22 to 64, if the community mental health board created under s. 51.42 for the county in which the person resides authorizes payment. The board is liable for 10% of the ~~customary charge for this service or the~~ medical assistance rate established under s. 49.45 (3) (e), ~~whichever is less, if a hospital provides the care and if the board does not operate a special hospital under s. 51.42 (8) (g) no county-owned or county-operated special hospital licensed under s. 50.33 (1) (c) is located within the jurisdiction of the board.~~ The board is liable for 20% of the customary charge for this service or the medical assistance rate established under s. 49.45 (3) (e), whichever is less, if a hospital provides the care and if the board operates a special hospital under s. 51.42 (8) (g) a county-owned or county-operated special hospital is located within the jurisdiction of the board. The board is liable for the state share of the amounts paid under the rates established by the department if an inpatient facility other than a hospital provides the care, limited to the care provided within the first month in which the person is admitted. In this subdivision, "hospital" has the meaning provided in s. 50.33 (1) (a), but does not include psychiatric or mental hospitals. Reimbursement for this service is limited to an episode of care occurring at least 90 days from the date of the last discharge.

SECTION 1067. 49.46 (2) (b) 8 of the statutes is created to read:

49.46 (2) (b) 8. Home or community-based services, if provided under s. 46.275 or 46.277.

SECTION 1068. 49.47 (4) (c) 1 of the statutes is amended to read:

49.47 (4) (c) 1. ~~Eligibility~~ Except as provided in subd. 1m, eligibility exists if the individual's income does not exceed the maximum standard of need used in determining eligibility for aid to families with dependent children under s. 49.19 or state supplemental aid under s. 49.177. In this subdivision "income" includes earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled under 42 USC 1381 to 1385, ~~in effect on July 29, 1979.~~ "Income" does not include earned or unearned income which would be

excluded in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled individual under 42 USC 1381 to 1385, ~~in effect on July 29, 1979.~~

SECTION 1068m. 49.47 (4) (c) 1m of the statutes is created to read:

49.47 (4) (c) 1m. The department may not consider the income of a disabled child's parents when determining the child's eligibility for medical assistance under this section if the child meets the conditions specified in 42 USC 1396a (e) (3).

SECTION 1069. 49.47 (4) (d) of the statutes is repealed.

SECTION 1070. 49.48 (3) (b) of the statutes is amended to read:

49.48 (3) (b) The state shall pay the cost of medical treatment ~~specifically relating to~~ required as a direct result of chronic renal disease of certified patients from the date of certification, whether the treatment is rendered in an approved facility in the state or in a dialysis or transplantation center which is approved as such by a contiguous state, ~~provided that aid is not otherwise available as~~ subject to the conditions specified under par. (d). Approved facilities may include a hospital in-center dialysis unit or a ~~non-hospital nonhospital~~ dialysis center which is closely affiliated with a home dialysis program supervised by an approved facility. Aid shall also be provided for all reasonable expenses incurred by a potential living-related donor, including evaluation, hospitalization, surgical costs and ~~post-operative postoperative~~ follow-up to the extent that these costs are not reimbursable under the federal medicare program or other insurance. In addition, all expenses incurred in the procurement, transportation and preservation of cadaveric donor kidneys shall be covered to the extent that these costs are not otherwise reimbursable. All donor-related costs, ~~whether living-related or cadaveric, shall be considered as~~ expenses are chargeable to the recipient and reimbursable under this subsection.

SECTION 1071. 49.48 (3) (d) of the statutes is renumbered 49.48 (3) (d) 1 and amended to read:

49.48 (3) (d) 1. No aid may be granted under this subsection unless the recipient has no other form of aid available from the federal medicare program or from private health, accident, sickness, medical and hospital insurance coverage. If insufficient aid is available from other sources and if the recipient has paid an amount equal to the annual medicare deductible amount specified in subd. 2, the state shall pay the difference in cost to a qualified recipient. If at any time sufficient federal or private insurance aid becomes available during the treatment period, state aid shall be terminated or appropriately reduced. Any patient who is eligible for the federal medicare program shall register and pay the premium for medicare medical insurance coverage where permitted, and shall pay an amount equal to the annual medicare deductible amounts required under 42 USC 1395e and 1395l (b), prior to becoming eligible for state aid.

SECTION 1072. 49.48 (3) (d) 2 of the statutes is created to read:

49.48 (3) (d) 2. Aid under this subsection is only available after the patient pays an annual amount equal to the annual deductible amount required under the federal medicare program. This subdivision requires an inpatient who seeks aid first to pay an annual deductible amount equal to the annual medicare deductible amount specified under 42 USC 1395e and requires an outpatient who seeks aid first to pay an annual deductible amount equal to the annual medicare deductible amount specified under 42 USC 1395l (b).

SECTION 1072m. 49.485 (1) (dm) of the statutes is amended to read:

49.485 (1) (dm) "Income" means income as defined in s. 71.09 (7) (a) 1, except that "income" does not include the following amounts that are excluded from adjusted gross income: capital gains, including capital gains excluded under section 1034 of the internal revenue code, dividends, contributions to individual retirement accounts, intangible drilling costs, depletion allowances and the amount by which the value of a share of

stock at the time a qualified or restricted stock option is exercised exceeds the option price.

SECTION 1073. 49.487 of the statutes is created to read:

**49.487 Disease aids, patient liability.** The department shall, on the effective date of this section (1983), develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.48, cystic fibrosis aid under s. 49.483 and hemophilia treatment under s. 49.485, based on the patient's ability to pay for treatment.

SECTION 1074. 49.497 (2) of the statutes is repealed.

SECTION 1074m. 49.50 (3) of the statutes is amended to read:

49.50 (3) **PERSONNEL EXAMINATIONS.** Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the administrator of the division of ~~personnel of~~ merit recruitment and selection in the department of employment relations. The department of employment relations shall be reimbursed for actual expenditures incurred in the performance of its functions under this section from the appropriations available to the department of health and social services for administrative expenditures.

SECTION 1075. 49.50 (7) (title) and (a) of the statutes are amended to read:

49.50 (7) (title) **WORK INCENTIVE DEMONSTRATION PROGRAM.** (a) The department shall ensure that all appropriate individuals so required by federal law and regulations as a condition of eligibility for aid to families with dependent children shall register for manpower services, training and employment under the work incentive demonstration program under 42 USC 645. The department shall administer or purchase directly, or ~~where the services would be more effectively performed~~ through contracts with county welfare or social services departments, ~~the health, vocational rehabilitation, counseling, child care, social and other supportive services related to individuals' preparation for, and participation in, the work incentive program and related to individuals' continuation in employment.~~ Allowances for costs incurred by an individual participating in the program shall be paid to the individual by or the department of industry, labor and human relations, supportive and employment services provided under the work incentive demonstration program to assist individuals to obtain gainful employment. Supportive services may include, but are not limited to, counseling, child care, transportation and vocational rehabilitation services. Employment services may include, but are not limited to, job training and placement, vocational counseling, job finding clubs, grant diversion to public or private employers, contracting with private employment agencies, promotion of targeted jobs tax credit programs and performance-based job placement incentives. The department shall adopt rules to administer this program.

SECTION 1076. 49.50 (7) (d) of the statutes is repealed.

SECTION 1076m. 49.50 (7m) of the statutes is created to read:

49.50 (7m) **COMMUNITY WORK EXPERIENCE PROGRAM.** The department shall promulgate rules for the administration of community work experience programs that are administered by county departments of public welfare and social services under s. 46.22 (4) (n) or 49.51 (2) (a) 15.

SECTION 1078m. 49.50 (10) of the statutes is repealed and recreated to read:

49.50 (10) **ELIGIBILITY VERIFICATION.** Proof shall be provided for each person included in an application for public assistance of his or her social security number or that an application for a social security number has been made.

SECTION 1080. 49.51 (2) (a) 15 of the statutes is created to read:

49.51 (2) (a) 15. To establish a community work experience program under 42 USC 609 if the county so elects and if the county pays the administrative costs associated with the program that are not reimbursed by the federal government. Any person participat-

ing in a community work experience program in a county is an employee of that county for purposes of worker's compensation benefits only.

SECTION 1082. 49.52 (1) (a) of the statutes is amended to read:

49.52 (1) (a) The department shall reimburse each county for reasonable costs of income maintenance administration from s. 20.435 (4) (de) and (p) under a ~~separate~~ contract according to s. 46.032. The department shall reimburse each county from the appropriations under s. 20.435 ~~(2) (b) and~~ (4) (b), (d) and (p) for 100% of the cost of aid to families with dependent children granted pursuant to s. 49.19, for social services as approved by the department under ss. 46.22 (4) (j) and (5m) (c) and 49.51 (2) (a), (3) (c) and (4), and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under ss. 49.02 and 49.03.

SECTION 1083. 49.52 (1) (d) of the statutes is renumbered 49.52 (1) (d) 1 and amended to read:

49.52 (1) (d) 1. ~~The~~ From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding ~~included in s. 20.435 (2) (b) and in s. 20.435 (2) (o)~~ for social services to county departments of public welfare and social services. ~~In 1982, the ratio of state and federal funds to county matching funds shall equal 93 to 7. Matching funds may be from county tax levies, federal revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.42 (8) (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and actual amount of county matching funds.~~ For the period from January 1, 1983, to ~~June 30~~ December 31, 1983, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Matching funds may be from county tax levies, federal revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.42 (8) (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals 2 times the difference between the required and the actual amount of county matching funds.

SECTION 1084. 49.52 (1) (d) 1 of the statutes, as affected by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 1085. 49.52 (1) (d) 2 of the statutes is created to read:

49.52 (1) (d) 2. From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding for social services to county departments of public welfare and social services or to community human services boards as provided under 1983 Wisconsin Act .... (this act), section 2020 (6) (a) and (b). For the period from January 1, 1984, to June 30, 1985, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.42 (8) (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1086. 49.52 (1) (dm) and (ds) of the statutes are repealed.

SECTION 1087. 49.52 (1) (i) of the statutes is amended to read:

49.52 (1) (i) Beginning January 1, 1980, the department shall reimburse counties for juvenile delinquency-related services as provided in s. 46.26 from the appropriation under s. 20.435 ~~(2)~~ (4) (cd).

SECTION 1089. 49.53 (2) (a) of the statutes is amended to read:

49.53 (2) (a) Each county agency administering aid to families with dependent children and each official or agency administering general relief shall maintain a monthly report at its office showing the names and addresses of all persons receiving such aids together with the amount paid during the preceding month. Nothing in this paragraph shall be construed to authorize or require the disclosure in the report of any information (names, addresses, amounts of aid or otherwise) pertaining to adoptions, ~~aid furnished to or in behalf of unmarried mothers under s. 49.19 (4) (d) and (g),~~ or aid furnished for the care of children in foster homes under s. 49.19 (10).

SECTION 1090. 49.65 (1) of the statutes is amended to read:

49.65 (1) SUBROGATION. The department, county, municipality or elected tribal governing body providing any public assistance under this chapter as a result of ~~an act that the occurrence of an injury, sickness or death which~~ creates a claim or cause of action, whether in tort or contract, on the part of the a public assistance recipient or beneficiary against a 3rd party, including an insurer, is subrogated to the rights of the recipient or the beneficiary and may make a claim or maintain an action ~~in tort or~~ intervene in a claim or action by the recipient or the beneficiary against the 3rd party.

SECTION 1091. 49.65 (1m) of the statutes is created to read:

49.65 (1m) NOTICE REQUIREMENT. Any attorney representing a public assistance recipient or beneficiary in a claim or action against a 3rd party, who has reason to know that his or her client received benefits under this chapter for which a governmental unit specified in sub. (1) has a subrogation interest, shall notify the governmental unit of the claim or action prior to settlement of the claim or action. Such notice shall be given in a timely manner to enable the governmental unit to assert its interest. If an attorney fails to provide such timely notice, the attorney shall be personally liable to the interested unit of government to the extent that benefits were granted under this chapter as a result of the occurrence creating the claim or cause of action.

SECTION 1092. 49.65 (2) of the statutes is amended to read:

49.65 (2) ASSIGNMENT OF ACTIONS. The department, county, municipality or elected tribal governing body providing any public assistance authorized under this chapter, including medical assistance, as a result of the occurrence of injury, sickness or death which results in a possible recovery of indemnity from a 3rd party, including an insurer, may require an assignment from the applicant ~~or~~ recipient or beneficiary of such public assistance or legally appointed representative of the incompetent or deceased applicant ~~or~~ recipient or beneficiary giving it the right to make a claim against the 3rd party.

SECTION 1093. 49.65 (4) of the statutes is amended to read:

49.65 (4) RECOVERY; HOW COMPUTED. Reasonable costs of collection including attorney's fees shall be deducted first. The amount of assistance granted as a result of the occurrence of the injury, sickness or death shall be deducted next and the remainder shall be paid to the public assistance recipient. ~~The amount of the medical assistance funds recovered shall be subject to fees and proration as is set forth in sub. (6).~~

SECTION 1094. 49.65 (6) of the statutes is repealed and recreated to read:

49.65 (6) PAYMENTS TO LOCAL UNITS OF GOVERNMENT. (a) Any county or elected tribal governing body that has made a recovery under this section shall receive an incentive payment from the sum recovered as provided under this subsection.

(b) The incentive payment shall be an amount equal to 15% of the amount recovered because of benefits paid under s. 49.46 or 49.47. The incentive payment shall be taken from the federal share of the sum recovered as provided under 42 CFR 433.153 and 433.154.

(c) The incentive payment shall be an amount equal to 10% of the amount recovered because of benefits paid under s. 49.046, 49.19, 49.20 or 49.30 or as state supplemental payments under s. 49.177. The incentive payment shall be taken from the state share of the sum recovered.

(d) Any county or elected tribal governing body that has made a recovery under this section for which it is eligible to receive an incentive payment under par. (b) or (c) shall report such recovery to the department within 30 days after the end of the month in which the recovery is made in a manner specified by the department.

(e) The amount of the recovery remaining after payments are made under pars. (b) and (c) shall be deposited in the state treasury and credited to the appropriation from which the assistance was originally paid.

SECTION 1095. 49.65 (7) (a) of the statutes is amended to read:

49.65 (7) (a) No person who has or may have a claim or cause of action in tort or contract and who has received assistance under this chapter as a result of the occurrence that creates the claim or cause of action may release the liable party or the liable party's insurer from liability to the units of government specified in sub. (1). Any payment to a beneficiary or recipient of assistance under this chapter in consideration of a release from liability is evidence of the payer's liability to the unit of government that granted the assistance.

SECTION 1096. 49.65 (8) of the statutes is created to read:

49.65 (8) DEFINITION. In this section, "insurer" includes a sponsor, other than an insurer, that contracts to provide health care services to members of a group.

SECTION 1097. 49.66 of the statutes is repealed.

SECTION 1097e. 50.001 of the statutes is repealed.

SECTION 1097m. 50.205 of the statutes is amended to read:

**50.205 (title) Regulation of hospital capital expenditures.** Rules and standards adopted under ss. 50.20 to 50.31 shall conform to the ~~certificate of need~~ requirements established under ch. 150.

SECTION 1098. 50.53 (3) (a) of the statutes is amended to read:

50.53 (3) (a) The annual fee for a restaurant shall be \$30 if ~~anticipated gross annual food sales are less than \$5,000~~ the restaurant limits its food service to individually wrapped, hermetically sealed single food servings supplied by a licensed processor, and shall be \$80 if anticipated gross annual food sales are \$5,000 or more the restaurant serves meals prepared from raw, canned, dried, packaged or frozen foods.

SECTION 1099. 51.04 of the statutes is amended to read:

**51.04 Outpatient treatment facility determination.** Any facility may apply to the department for determination of whether such facility is an outpatient treatment facility, as defined in s. 632.89 (1) (a). The department shall charge a fee of ~~\$25~~ for each such determination.

SECTION 1100. 51.20 (4) of the statutes is amended to read:

51.20 (4) PUBLIC REPRESENTATION. ~~The~~ Except as provided in ss. 51.42 (5) (h) 7 and 51.437 (9) (c), the district attorney or, if designated by the county board of supervisors, the corporation counsel or other counsel shall represent the interests of the public in the conduct of all proceedings under this chapter, including the drafting of all necessary papers related to the action.

SECTION 1101. 51.30 (4) (b) 12 of the statutes is amended to read:

51.30 (4) (b) 12. To a correctional officer of the department who has custody of or is responsible for the supervision of an individual who is transferred, or discharged or on unauthorized absence from a treatment facility. Records released under this subdivision are limited to notice of the subject individual's change in status.

SECTION 1102. 51.30 (4) (b) 12m of the statutes is created to read:

51.30 (4) (b) 12m. To any person if the patient was admitted under s. 971.14 or 971.17 or ch. 975 or transferred under s. 51.35 (3) or 51.37 and is on unauthorized absence from a treatment facility. Information released under this subdivision is limited to information that would assist in the apprehension of the patient.

SECTION 1103. 51.35 (6) (a) of the statutes is amended to read:

51.35 (6) (a) When the department has notice that any person other than a prisoner is entitled to receive care and treatment in a veterans' administration facility, the person may petition the department for a transfer to such facility, and the department may ~~in cooperation with the department of veterans affairs~~ procure his or her admission to such facility in accordance with s. 45.30.

SECTION 1104. 51.35 (6) (c) of the statutes is repealed.

SECTION 1105. 51.37 (5) (c) of the statutes is created to read:

51.37 (5) (c) No state treatment facility may accept for admission an individual who is being transferred from a county jail under par. (a) or (b) without the approval of the community board established under s. 51.42 or 51.437 of the county in which the jail is located. No state treatment facility may retain such an individual beyond 72 hours without the approval of the community board established under s. 51.42 or 51.437 of the county where the transferred individual has legal residence.

SECTION 1105m. 51.41 of the statutes is repealed.

SECTION 1106. 51.42 (5) (h) 7 of the statutes is amended to read:

51.42 (5) (h) 7. Enter into contracts to render services to or secure services from other agencies or resources including out-of-state agencies or resources. Notwithstanding ss. 59.07 (44), 59.456 and 59.47, a multicounty board organized under sub. (3) (a) or s. 51.437 (7) (b) may contract for professional legal services that are necessary to carry out the duties of the board if the corporation counsel of each county of the multicounty board has notified the board that he or she is unable to provide such services in a timely manner; and

SECTION 1107. 51.42 (7) (b) of the statutes is repealed.

SECTION 1108. 51.42 (8) (b) of the statutes is renumbered 51.42 (8) (b) 1 and amended to read:

51.42 (8) (b) 1. ~~The~~ From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding included in s. 20.435 (2) (b) and in s. 20.435 (2) (o) for services provided or purchased by boards created under this section or under s. 51.437, to boards created under this section or under s. 51.437. In 1982, the ratio of state and federal funds to county matching funds shall be 93 to 7. Matching funds may be from county tax levies, federal revenue sharing funds or private donations to the county that meet the requirements specified in par. (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and actual amount of county matching funds. For the period from January 1, 1983, to June 30 December 31, 1983, the ratio of state and federal funds to county matching funds shall be 91 to 9. Matching funds may be from county tax levies, federal revenue sharing funds or private donations to the county that meet the requirements specified in par. (bd).

Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals 2 times the difference between the required and the actual amount of county matching funds.

SECTION 1109. 51.42 (8) (b) 1 of the statutes, as affected by 1983 Wisconsin Act ... (this act), is repealed.

SECTION 1110. 51.42 (8) (b) 2 of the statutes is created to read:

51.42 (8) (b) 2. From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding for services provided or purchased by boards created under this section or s. 46.23 or 51.437, to boards created under this section or s. 46.23 or 51.437 as provided under 1983 Wisconsin Act ... (this act), section 2020 (6) (a) and (c). For the period from January 1, 1984, to June 30, 1985, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in par. (bd). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1110m. 51.42 (8) (ba) of the statutes is created to read:

51.42 (8) (ba) 1. From the funds allocated under par. (b), the department shall do all of the following:

a. In calendar years 1984 and 1985, allocate for community support programs an amount equal to the amount that funds allocated for community support programs in calendar year 1982 were increased above those allocated in calendar year 1981 for community support programs.

b. In calendar years 1984, 1985 and 1986, allocate for community support programs an amount equal to the amount that funds allocated for community support programs in calendar year 1983 were increased above those allocated in calendar year 1982 for community support programs.

c. Beginning in calendar year 1984, allocate for community support programs, in the current calendar year and in each of the 3 consecutive calendar years immediately following, an amount equal to the amount that funds allocated for community support programs in the current calendar year are increased above those allocated in the preceding calendar year for community support programs.

2. This paragraph does not apply to funds allocated for community support programs on a one-time basis.

3. In this paragraph, "community support programs" means community support programs for the developmentally disabled and the chronically mentally ill, including programs associated with federal housing and urban development projects.

SECTION 1111. 51.42 (8) (d) of the statutes is repealed.

SECTION 1112. 51.42 (9) (a) of the statutes is amended to read:

51.42 (9) (a) Authorization for all care of any patient in a state, local or private facility shall be provided under a contractual agreement between the board and the facility, unless the board governs the facility. The need for inpatient care shall be determined by the ~~clinical director of the program director or designee~~ in consultation with and upon the recommendation of a licensed physician trained in psychiatry and employed by the board or its contract agency. In cases of emergency, a facility under contract with any board shall charge the board having jurisdiction in the county where the patient is found. The board shall reimburse the facility for the actual cost of all authorized care and ser-

vices less applicable collections according to s. 46.036, unless the department determines that a charge is administratively infeasible, or unless the department, after individual review, determines that the charge is not attributable to the cost of basic care and services. Boards shall not reimburse any state institution nor receive credit for collections for care received therein by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 971.14, 971.17, 975.01, 1977 stats., 975.02, 1977 stats., 975.06 or admissions under s. 975.17, 1977 stats., or children placed in the guardianship or legal custody of the department under s. 48.355, 48.427 or 48.43. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client.

SECTION 1113. 51.437 (9) (c) of the statutes is amended to read:

51.437 (9) (c) Enter into contracts to provide or secure services from other agencies or resources including out-of-state agencies or resources. Notwithstanding ss. 59.07 (44), 59.456 and 59.47, a multicounty board organized under sub. (4) or (7) (b) may contract for professional legal services that are necessary to carry out the duties of the board if the corporation counsel of each county of the multicounty board has notified the board that he or she is unable to provide such services in a timely manner.

SECTION 1114. 51.437 (12) (a) of the statutes is amended to read:

51.437 (12) (a) Authorization for all care of any patient in a state, local or private facility shall be provided under a contractual agreement between the board and the facility, unless the board governs the facility. The need for inpatient care shall be determined by the clinical director of the program director or designee in consultation with and upon the recommendation of a licensed physician trained in psychiatry and employed by the board or its contract agency prior to the admission of a patient to the facility except in the case of emergency services. In cases of emergency, a facility under contract with any board shall charge the board having jurisdiction in the county where the individual receiving care is found. The board shall reimburse the facility for the actual cost of all authorized care and services less applicable collections according to s. 46.036, unless the department determines that a charge is administratively infeasible, or unless the department, after individual review, determines that the charge is not attributable to the cost of basic care and services. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client. Boards shall not reimburse any state institution nor receive credit for collections for care received therein by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3) (a), commitments under s. 971.14, 971.17, 975.01, 1977 stats., 975.02, 1977 stats., 975.06, admissions under s. 975.17, 1977 stats., or children placed in the guardianship or legal custody of the department under s. 48.355, 48.427 or 48.43.

SECTION 1115. 51.438 of the statutes is repealed.

SECTION 1116. 51.45 (2) (g) of the statutes is amended to read:

51.45 (2) (g) "Treatment" means the broad range of emergency, outpatient, intermediate, and inpatient services and care, including diagnostic evaluation, medical, surgical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics and intoxicated persons, and psychiatric, psychological and social service care which may be extended to their families. Treatment may also include, but shall not be replaced by, physical detention of persons, in an approved treatment facility, who have threatened, attempted or inflicted physical harm on themselves or another while in protective custody or undergoing involuntary treatment under this section, or who have attempted or committed an escape while in protective custody or undergoing involuntary treatment under this section are involuntarily committed or detained under sub. (12) or (13).

SECTION 1117. 51.45 (13) (a) (intro.), 3 and 4 of the statutes are amended to read:

51.45 (13) (a) (intro.) A person may be committed to the custody of the community board by the circuit court upon the petition of 3 adults, ~~each~~ at least one of whom has personal knowledge of the conduct and condition of the person sought to be committed. A refusal to undergo treatment shall not constitute evidence of lack of judgment as to the need for treatment. The petition for commitment shall:

3. State facts sufficient for a determination of indigency of the person; ~~and~~

4. Be supported by the affidavit of each petitioner who has personal knowledge which avers with particularity the factual basis for the allegations contained in the petition; and

SECTION 1118. 51.45 (13) (a) 5 of the statutes is created to read:

51.45 (13) (a) 5. Contain a statement of each petitioner who does not have personal knowledge which provides the basis for his or her belief.

SECTION 1119. 51.45 (13) (g) of the statutes is amended to read:

51.45 (13) (g) The court shall make an order of commitment to the community board if, after hearing all relevant evidence, including the results of any diagnostic examination, the trier of fact finds: 1) that the allegations of the petition under par. (a) have been established ~~beyond a reasonable doubt~~ by clear and convincing evidence; and 2) that there is a relationship between the alcoholic condition and the pattern of conduct during the 12-month period immediately preceding the time of petition which is dangerous to the person or others and that such relationship has been established to a reasonable medical certainty; and 3) that there is an extreme likelihood that the pattern of conduct will continue or repeat itself without the intervention of involuntary treatment or institutionalization. The court may not order commitment of a person unless it is shown ~~be-~~ yond a reasonable doubt by clear and convincing evidence that there is no suitable alternative available in which for the person will voluntarily participate and that the community board is able to provide the most appropriate and effective treatment ~~and that the treatment is likely to be beneficial for the individual.~~

SECTION 1120. 51.45 (13) (h) of the statutes is amended to read:

51.45 (13) (h) A person committed under this subsection shall remain in the custody of the community board for treatment for a period ~~of 30 set by the court, but not to exceed 90 days.~~ of 30 set by the court, but not to exceed 90 days. During this period of commitment the community board may transfer the person from one approved public treatment facility or program to another as provided in par. (k). At the end of the ~~30-day period set by the court,~~ 30-day period set by the court, the person shall be discharged automatically unless the community board before expiration of the period obtains a court order for recommitment upon the grounds set forth in par. (a) for a further period ~~of 90 days not to exceed 6 months.~~ of 90 days not to exceed 6 months. If after examination it is determined that the person is likely to inflict physical harm on himself or herself or on another, the community board shall apply for recommitment. Only one recommitment order under this paragraph is permitted.

SECTION 1121. 51.45 (13) (i) of the statutes is repealed.

SECTION 1129d. 52.10 (2) (m), (15) and (33) of the statutes are amended to read:

52.10 (2) (m) "State" includes a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a federally recognized elected tribal governing body and any foreign jurisdiction in which this or a substantially similar reciprocal law is in effect or which has established enforcement procedures with or without court participation under a treaty, the application of which extends to this state.

(15) COSTS AND FEES. An initiating court shall not require payment of either a filing fee or other costs from the obligee but may request the responding court to collect only those fees and costs from the obligor which are incurred in the responding state. A responding court shall not require payment of a filing fee or other costs from the obligee but it may

direct that all fees and costs incurred in this state when acting as a responding state, including fees for filing of pleadings, service of process, seizure of property, stenographic or duplication service or other service supplied to the obligor, be paid in whole or in part by the obligor ~~or by~~, the county or the federally recognized elected tribal governing body. These costs or fees except for the receiving and disbursing fee authorized by s. 814.61 (12) (b) do not have priority over amounts due ~~to~~ the obligee.

(33) INTRASTATE APPLICATION. This section applies if both the obligee and the obligor are in this state but one or both are in the jurisdiction of a federally recognized elected tribal governing body or the 2 are in different counties. If the court of the tribal jurisdiction or the circuit court for the county in which the petition is filed finds that the petition sets forth facts from which it may be determined that the obligor owes a duty of support and finds that a court of another tribal jurisdiction or the circuit court for another county in this state may obtain jurisdiction over the obligor or his property, the clerk of the court shall send the petition and a certification of the findings to the court of the tribal jurisdiction or the circuit court for the county in which the obligor or his property is found. The clerk of the court ~~of the county~~ receiving these documents shall notify the district attorney or the tribal attorney of their receipt. The ~~district~~ attorney and the court ~~in the county~~ to which the copies are forwarded then shall have duties corresponding to those imposed upon them when acting for this state as a responding state.

SECTION 1129g. 53.02 (4b) of the statutes is repealed.

SECTION 1129h. 53.05 of the statutes is repealed and recreated to read:

**53.05 Wisconsin corrections drug abuse treatment program.** (1) The department may designate under s. 46.052 (1) (b) a section of the Winnebago mental health institute as a correctional treatment facility for the treatment of drug abuse of inmates. For administrative purposes only, the facility shall be attached to a prison designated under s. 53.01. For purposes of discipline and for judicial proceedings, the facility authorized by s. 46.052 (1) (b) and the precincts thereof shall be deemed to be in Winnebago county and the courts of that county shall have jurisdiction of all crimes committed within the facility. Every activity conducted under the jurisdiction of and by the Wisconsin corrections drug abuse treatment program wherever located is a precinct of the facility. The department shall ensure that the residents at the institution and the residents in the drug abuse treatment program:

(a) Have access to all those facilities which are available at the institution and are necessary for the treatment programs designed by the department.

(b) Are housed on separate wards.

(2) Transfers to a correctional treatment facility for the treatment of drug abuse shall be considered transfers under s. 53.18.

SECTION 1129m. 53.12 (4) of the statutes is amended to read:

53.12 (4) Money accruing under this section remains under the control of the department, to be used for the crime victim and witness assistance surcharge under s. 973.045 (4) and the benefit of the inmate or his the inmate's family or dependents, under rules prescribed by the department as to time, manner and amount of disbursements.

SECTION 1129r. 53.13 of the statutes is amended to read:

**53.13 Property of inmates; donations and transportation on discharge.** The money and effects (~~except~~ clothes), in possession of an inmate when admitted to the prison shall be preserved and, subject to the crime victim and witness assistance surcharge under s. 973.045 (4), shall be restored to ~~him~~ the inmate when discharged. When released on discharge or parole he or she shall be given adequate clothing and an amount of cash determined by department rules in addition to transportation or the means to procure transportation from the prison to any place in this state. If released on parole this amount shall be given under rules promulgated by the department.

SECTION 1129t. 53.26 of the statutes is amended to read:

**53.26 Corrections compact.** The secretary is responsible for performing all functions necessary or incidental to carrying out the requirements of the interstate corrections compact under s. 53.25. The secretary may delegate and redelegate any of the functions as provided in s. 15.02 (4). A contract involving the transfer of more than 10 prisoners to any one state in any fiscal year may be entered into under s. 53.25 only if the contract is approved by the legislature by law or by the joint committee on finance.

SECTION 1130. 53.27 of the statutes is created to read:

**53.27 Contracts for temporary housing for prisoners.** The department may contract with local governments for temporary housing in county jails or the Milwaukee county house of correction for persons sentenced to imprisonment in state prisons.

SECTION 1130g. 53.33 of the statutes is renumbered 53.33 (1) and amended to read:

53.33 (1) The maintenance of persons who have been sentenced to the state penal institutions; persons in the custody of the department, except as provided in sub. (2); persons accused of crime and committed for trial; persons committed for the nonpayment of fines and expenses; and persons sentenced to imprisonment therein, while in the county jail, shall be paid out of the county treasury; ~~but no.~~ No claim shall may be allowed to any sheriff for keeping or boarding any person in the county jail unless he the person was lawfully detained therein.

SECTION 1130r. 53.33 (2) of the statutes is created to read:

53.33 (2) (a) The department shall pay for the maintenance of persons in its custody who are placed in the county jail or other county facility pending disposition of parole or probation revocation proceedings subject to the following conditions:

1. The department shall not pay for the first 60 days of confinement. Confinement begins when an offender is detained in a county jail or other county facility pursuant only to a departmental hold and ends when the revocation process is completed and a final departmental order has been entered.

2. The department shall not pay for persons who have pending criminal charges whether or not a departmental hold has been placed on the person. Payment for maintenance by the department is limited to confinements where an offender is held solely because of conduct which violates the offender's supervision and which would not otherwise constitute a criminal offense.

3. After verification by the department, it shall reimburse the county ~~from the appropriation under s. 20.435 (3)(a)~~ at a rate of \$30 per person per day subject to the conditions in subs. 1 and 2. If \$638,500 for fiscal year 1983-84 or \$842,200 for fiscal year 1984-85 is insufficient to provide complete reimbursement at that rate, the department shall prorate the payments to counties for that fiscal year.

(b) This subsection applies only to probationers or parolees who were placed on that status in connection with a conviction for a felony. This subsection applies only to confinements initiated after the effective date of this subsection (1983).

SECTION 1131. 53.385 of the statutes is amended to read:

**53.385 Correctional institution health care.** The standards for delivery of health services in state correctional institutions governed under s. 46.03 (1) shall be based on the essential standards of the American medical association standards for health services in prisons, published in July 1979. ~~On or before October 1, 1980, the department shall report to the appropriate standing committees in each house of the legislature on the implementation of the standards, the areas in which current practices are deficient and on the department's plan of correction. The correction plan shall be implemented by July 1, 1981 and standards for health services in juvenile correctional facilities, published in August 1979.~~

Vetoed  
in Part

SECTION 1131a. Chapter 54 of the statutes is created to read:

CHAPTER 54

HOSPITAL RATE SETTING

**54.01 Statement of purpose.** In creating the hospital rate-setting commission and council and establishing a mandatory hospital rate-setting program, the legislature intends to reduce the rate of hospital cost increases while preserving the quality of health care in all parts of the state and taking into account the financial viability of economically and efficiently operated hospitals.

**54.03 Definitions.** In this chapter:

- (1) "Commission" means the hospital rate-setting commission.
- (2) "Hospital" has the meaning provided in s. 50.33 (1).
- (3) "Rates" means individual charges of a hospital for the services it provides or, if authorized under s. 54.17 (3), means the aggregate charges based on case mix measurements.

**54.05 Prospective rate setting.** On or before July 1, 1984, the commission shall submit to the legislative council under s. 227.029 (1) its proposed rules for implementing this chapter. These rules may not take effect before January 1, 1985. On and after the effective date of these rules, the commission shall establish and may regularly revise maximum hospital rates on a prospective basis. The commission shall publish biennial reports showing its proceedings, together with information necessary to describe the rate of hospital cost increases and the financial condition of hospitals.

**54.07 Requests for a rate change.** (1) The commission shall create a schedule allowing each hospital to request rate changes annually. To the extent practicable, this schedule shall coincide with each hospital's fiscal year. The schedule may deviate from a hospital's fiscal year by no more than 31 days. Any hospital may submit a rate request up to 90 days before this scheduled date. If a hospital fails to submit a rate request during this period, the commission may schedule a review of the hospital's rates and revise the rates on its own initiative or at the request of any person when good cause is shown. A hospital may submit a rate request on or after the scheduled date.

(2) Within 10 days after it submits a rate request under sub. (1) the hospital shall publish a class 1 notice under ch. 985. If the hospital fails to submit a rate request by the scheduled date and the commission schedules a review under sub. (1), the commission shall publish a class 1 notice under ch. 985 within 10 days after it schedules the review. This notice shall inform the public of the review, summarize the rate sought, if any, and state the process by which interested persons may become parties to the review. Any person may become a party to the review only by notifying the commission in writing within 30 days after the date the notice is published.

(3) Each hospital shall submit its proposed financial requirements to the commission at the same time it submits a rate request. Except as provided in s. 54.17 (4) (g), each hospital shall provide the commission with information the commission determines is necessary to perform its responsibilities with respect to rate setting and monitoring established rates. Patient care and other organizations and hospital corporate affiliates that generate financial requirements of a hospital under review shall also release to the commission financial or other statistical information related to the financial requirements which the commission determines is necessary to perform its responsibilities with respect to rate setting and monitoring established rates.

(4) The commission may require hospitals to conform with a uniform reporting system.

(5) The commission shall establish and regularly publish a list of the 25 most heavily used charge elements for hospitals.

**54.09 Financial requirements.** (1) Financial requirements of each hospital that submits a rate request shall include:

(a) Necessary operating expenses, including wages, employe fringe benefits, purchased services, professional fees, repairs and maintenance, dietary and medical supplies, pharmaceuticals, utilities, insurance, depreciation, standby costs and applicable taxes. Any amount representing the value of services performed by members of a religious order or other organized religious group may only be included if actually paid to members of the religious group and shall be equivalent to the amounts paid to employes for similar work. The commission may not use previously accumulated depreciation of capitalized assets to offset operating expenses.

(b) Interest expenses on debt incurred for capital or operating costs. Interest payments on debts incurred for capital costs shall be offset by income earned on investments unless the income is assigned by the donor.

(c) Direct and indirect costs of medical education, allied education and research programs approved by the commission, to the extent the costs are reasonable and necessary to maintain the quality of these programs. Costs under this paragraph shall be reduced by tuition, scholarships, endowments, gifts, grants and similar sources of revenue.

(d) Costs of services, facilities and supplies that organizations related to the hospital by common ownership or control furnish to the hospital. These costs shall be calculated as the charge of the furnishing organization, but may not exceed a reasonable amount in relation to the price of comparable services, facilities or supplies that could be purchased elsewhere.

(e) Unrecovered costs from private parties who fail to pay the full charge for care provided, unless the hospital fails to maintain sound credit and collection policies to minimize these costs.

(f) Fees assessed by the commission or other regulatory agencies.

(g) Operating fund working capital requirements. In this paragraph, "working capital requirements" means capital in use to operate the hospital at a level sufficient to avoid unnecessary borrowing, including cash, accounts receivable, inventory and prepaid expenses less accounts payable and accrued interest. Working capital requirements shall be calculated independently of available funds, as defined in par. (i) 1. Working capital requirements shall be calculated based on the net change in the estimated year-end balance of the hospital's year under review, compared to the year-end balance of the hospital's prior fiscal year, for the following accounts:

1. Cash.
2. Accounts receivable.
3. Inventories.
4. Prepaid expenses.
5. Trade accounts payable.
6. Accrued interest payable.

(h) An amount necessary to establish and maintain a contingency fund in cash and investments equal to 2% of the budgeted gross revenue for the hospital's year under review. The hospital shall use cash and investments to establish and maintain its contingency fund and shall use the fund to meet unexpected expenses. The commission may review any expenditure of contingency funds in a prior year that requires restoration in the hospital's year under review for reasonableness, consistent with the nature of the unexpected expense.

(i) Capital requirements, calculated as the greater of historical, straight-line depreciation of plant and equipment or the cost of proposed capital purchases as offset by available funds, plus debt retirement expenses, prospective accumulation and capitalized interest. In this paragraph:

1. "Available funds" includes cash and investments that are not assigned by the donor and are available to meet capital needs. Available funds do not include operating fund working capital requirements, prospective accumulations that are authorized by the commission or by the rate review program under s. 146.60, donor-restricted or creditor-restricted funds, grants, commitments for capital requirements, debt retirement expenses or the amounts disallowed under s. 54.13 (1) (b). The commission may authorize prospective accumulations if a project approved under ch. 150 has lending requirements that necessitate such an accumulation or can lower its interest costs by borrowing, or if financial needs of a hospital occur because of balloon payments. The commission may also authorize prospective accumulations to finance a capital project during the 2 1/2 years prior to the date the hospital applies to the department for approval of the project under ch. 150, if the cost of the project equals or exceeds 25% of the hospital's gross patient revenue for the current fiscal year, the hospital has submitted a 3-year capital expenditure plan to the commission and the department indicates that the project is consistent with the projected needs of the community and the state medical facilities plan under s. 150.83. No approval of prospective accumulations under this subdivision requires the department to approve the project under ch. 150.

2. "Capital purchases" includes minor remodeling and the purchase of equipment, land, land improvements and leasehold improvements.

3. "Depreciation" means the rational allocation of the historical cost of capitalized assets throughout their useful lives.

4. "Prospective accumulation" does not include funds that exceed the cost of the project for which the funds are accumulated.

(j) The amount by which estimated payments by government payers exceed actual payments under s. 54.17 (1) (a).

(k) Financial incentives. The commission shall, by rule, allow financial incentives as additional financial requirements to efficiently operated hospitals.

(2) Hospitals may collect revenue from sources other than patients, including gifts and grants, investment income or income from activities incidental to patient care. Revenues from endowment funds or donor-restricted gifts to provide services for designated patients shall offset the cost of those services. No revenue from general endowment funds or unrestricted gifts may be used to offset operating expenses except that revenue from these funds or gifts may be used to offset interest expenses. Revenues received to finance special projects or wages paid to special project employees shall offset the cost of patient services. Revenues from meals sold to visitors or employees, from drugs sold to persons who are not patients, from the operation of gift shops or parking lots or from the provision of televisions, radios or telephones to patients shall offset the cost of these services, subject to the limitation that the amount of revenue offset from any of these services may not exceed the cost of the service.

(3) Purchase discounts, the amount by which actual payments by government payers exceed estimated payments under s. 54.17 (1) (a) and allowances and refunds of expenses shall be subtracted from the calculation of financial requirements under sub. (1). Revenues from invested funds shall also be subtracted from the calculation of financial requirements but may not offset an amount that exceeds the hospital's interest expenses. No costs associated with a project that fails to receive an approval under ch. 150 may be considered part of a hospital's financial requirements.

**54.11 Standards for decision making.** The commission and its staff shall review and evaluate each hospital's proposed financial requirements and rate request in light of a variety of standards for decision making, including:

- (1) The purposes of the hospital rate-setting program specified in s. 54.01.
- (2) Comparisons with prudently administered hospitals of similar size or providing similar services that offer quality health care with sufficient staff. In classifying hospitals, the commission shall consider volume, intensity, educational programs and special services provided by hospitals.
- (3) A variety of cost-related trend factors based on nationally or regionally recognized economic models.
- (4) The special circumstances of rural hospitals and teaching hospitals.
- (5) The past budget and rate experiences of the hospital that submits the rate request.
- (6) Findings of the utilization review program under s. 54.23 (3) concerning the hospital that submits the rate request.

**54.13 Initial determinations.** (1) After reviewing a hospital's proposed financial requirements the commission may disallow the following:

- (a) Costs associated with medical services that a utilization review program under s. 54.23 determines are medically unnecessary or inappropriate.
- (b) Forty percent of the amount by which patient revenue generated by the hospital during its previous fiscal year exceeds 104% of the hospital's budgeted patient revenue for that year, if the hospital's annual gross patient revenue is less than \$5,000,000, adjusted as provided in s. 54.21 (2) (a), or exceeds 102% of the hospital's budgeted patient revenue for that year, if the hospital's annual gross patient revenue equals or exceeds \$5,000,000, adjusted as provided in s. 54.21 (2) (a). The commission shall, by rule, establish a procedure under which hospitals whose variable costs exceed 65% are subject to a lesser disallowance under this paragraph.
- (c) Rate overcharges of the hospital that occurred in a prior year for which payers have not been reimbursed.
- (d) The amount by which incremental expenses that are associated with the cost of a project approved under ch. 150 and are charged to all of the hospital's patients exceed 105% of the expenses projected in the hospital's application for approval of the project. This paragraph does not apply if:
  1. The hospital demonstrates to the satisfaction of the commission that the excess was due to conditions beyond its control.
  2. The excess occurs more than 3 years after completion of the project.
- (e) Costs that the commission determines under s. 54.11 are unreasonable.
- (f) Wages the record demonstrates to be excessive. In making determinations under this paragraph, the commission shall consider the wage levels offered by hospitals located in a relevant geographic area surrounding the hospital that submitted the rate request as well as by hospitals of similar size or providing similar services. In addition, the commission shall consider the hospital's ability to attract adequate staff and wage trends in nonregulated, related sectors of the Wisconsin economy.

(2) (a) After reviewing the hospital's financial requirements and rate request, the commission staff shall suggest any disallowances authorized under sub. (1) and shall submit its rate recommendations to the hospital and commission. If it considers the hospital proposal unacceptable, the commission staff shall explain to the hospital what facts and standards cause it to disagree and submit alternate recommendations. A hospital that fails to accept any part of the commission staff's recommendations shall request a settlement conference under s. 54.15.

(b) 1. Except as provided in subd. 2, commission staff shall submit its recommendations under par. (a) within 60 days after the date that review commences under s. 54.07 (1), even if the commission staff determines that the data provided by the hospital for a scheduled review are incomplete, but the commission staff may recommend a disallowance or an alternate rate, including no rate increase, on the grounds of insufficient data.

2. a. The commission staff may extend the deadline specified in subd. 1 by 15 days if it determines that the rate request submitted involves particularly complex issues of fact.

b. The deadline specified in subd. 1 may be extended with the consent of the hospital and the commission staff.

**54.15 Review of determinations.** (1) Any hospital that disputes any part of the recommendations of commission staff under s. 54.13 shall, within 10 days after the recommendations are submitted under s. 54.13 (2), request a settlement conference between its representatives and the commission staff for the purpose of resolving their differences or defining more precisely the nature of their differences. The chairperson of the commission, or a commissioner designated by the chairperson, shall preside over each settlement conference. Within 20 days after the hospital requests a settlement conference, the settlement conference shall be completed.

(2) Any hospital that is dissatisfied with the results of its settlement conference under sub. (1) is entitled to a hearing before the commission if it submits a timely request. Each request for a hearing shall be submitted to the commission within 10 days following completion of the settlement conference. The hospital may request an informal hearing under sub. (3) or a formal hearing under sub. (4). At either hearing the hospital may present testimony based on any standard for decision making listed in s. 54.11. All questions of fact shall be determined without ascribing greater weight to evidence presented by commission staff than to evidence presented by any other party, solely due to its presentation by the staff.

(3) (a) Informal hearings shall be conducted before at least 2 commissioners. Sworn testimony is required only if the presiding commissioners so specify. The commissioners may establish time limits for cross-examination of witnesses and rebuttal arguments and limit the number of persons who may appear at the hearing. Rules of evidence, except the rule that evidence be relevant to the issues presented, do not apply to informal hearings.

(b) A hospital that requests an informal hearing shall present the reasons supporting its proposed rate increase and financial requirements. Commission staff shall respond by explaining its disagreement and its alternate recommendations. Within the time limits specified in par. (a), the hospital and commission staff may each cross-examine witnesses and rebut arguments presented. Other parties may present positions but may not cross-examine witnesses. No party except the hospital and the commission staff may use outside experts to present their position. The presiding commissioners may impose an overall time limit on the length of the hearing.

(4) Formal hearings under this section shall be conducted as Class 1 contested case proceedings under ch. 227. The commission may conduct any formal hearing itself, in the presence of at least 2 commissioners, or may designate a hearing examiner to conduct any formal hearing. If the commission designates a hearing examiner, he or she shall prepare a proposed decision including findings of fact, conclusions of law, an order and an opinion in a form the commission may adopt as its final decision. The proposed decision shall be a part of the record and shall be served by the commission on all parties. Any party adversely affected by the proposed decision may file objections, briefly stating the reasons and authority for each objection, and may conduct oral arguments concerning the objections before the commission. If the commission's decision varies in any respect from the hearing examiner's proposed decision, the commission shall include an explanation of the basis for each variance. If the hospital requests a formal hearing the

hospital or the commission staff may, during the 25-day period following the date the hospital requests a hearing under this subsection, take depositions or demand the production of documents. Documents of public record need only be identified. Any party, including the commission staff, may file briefs at a formal hearing and, if the hospital requests oral arguments, may present oral arguments before the commission. The commission may establish reasonable time limits for oral arguments.

(5) The commission shall keep a complete record of all hearings and investigations conducted under sub. (3) or (4) using a stenographic, electronic or other method to record all testimony presented. The commission shall provide a transcribed, certified copy of all or any part of this record free on the request of any party to a formal hearing or investigation under sub. (4). The commission shall also provide a transcribed, certified copy of all or any part of this record on the request of any party to an informal hearing or investigation under sub. (3), but may charge the requester for the costs involved.

(6) (a) Any person may request a hearing under s. 227.064, regardless of whether any other hearing is authorized by law or is authorized at the discretion of the commission or whether any other proceeding is authorized by rule of the commission, subject to the limitation that no person may receive more than one contested case hearing concerning a particular act or failure to act by the commission.

(b) Notwithstanding par. (a), no person may request a hearing under s. 227.064 pertaining to the subject matter of a hearing under sub. (3) or (4).

(c) The right to a hearing under s. 227.064, as specified in this subsection, applies only to subject matter pertaining to this chapter.

**54.17 Commission orders.** (1) (a) The commission shall determine allowable financial requirements under s. 54.09 and disallowances under s. 54.13. From the difference between these amounts the commission shall subtract the hospital's estimated general relief payments under ss. 49.02 to 49.04, medical assistance payments under ss. 49.43 to 49.47 and medicare payments under 42 USC 1395 to 1395xx, unless the commission determines that the hospital's estimates are incorrect, in which case it shall subtract its own estimated general relief, medical assistance and medicare payments. The commission shall, by order, establish maximum rates that allow the hospital to generate revenue sufficient to provide this remainder. The commission shall by rule establish acceptable methods of estimating payments by general relief, medical assistance and medicare under this paragraph. Each hospital shall choose one of these methods and use it consistently unless the commission authorizes the hospital to change its method.

(b) Unless the hospital requests a hearing under s. 54.15 (3) or (4) the commission shall issue its order under par. (a) 15 days after the commission staff submits its recommendations or, if the hospital requests a settlement conference under s. 54.15 (1), within 15 days after the commission determines that the hospital will not seek a hearing following the conclusion of the settlement conference. If the hospital disputes only part of the recommendations of the commission staff the commission may establish maximum rates under par. (a) concerning the recommendations with which the hospital agrees prior to the conclusion of the hearing under s. 54.15 (3) or (4).

(c) If the hospital disputes the recommendations of the commission staff and requests a hearing under s. 54.15 (3) or (4), the commission shall establish by order maximum rates for the hospital's year under review at the conclusion of the hearing. The commission shall issue its order under this paragraph within 50 days after a hospital requests an informal hearing or within 75 days after a hospital requests a formal hearing under s. 54.15 (2). If any party files a brief at a formal hearing, the commission shall issue its order under this paragraph within 85 days after the hospital requested the formal hearing. If oral arguments before the commission are requested at a formal hearing, the

commission shall issue its order under this paragraph within 105 days after the hospital requested the formal hearing.

(d) 1. The commission shall state findings of fact and the reasons supporting each order it issues concerning financial requirements and rates. If the commission denies any part of a rate request it shall also specify, as part of its order, any financial requirements it has disallowed.

2. Any hospital may apply an increase in its rates selectively, if the aggregate increase in its rates does not exceed the amount authorized by the commission. Prior to instituting its rate increase, the hospital shall explain to the commission its method of applying the rate increase and allow the commission 5 working days, as defined in s. 227.01 (12), to determine if the aggregate increase in rates exceeds the authorized amount. Failure to disapprove the hospital's method of applying the rate increase within this period constitutes an approval. If the commission approves the hospital's method of applying the rate increase, the commission may not challenge the method prior to the date of a succeeding review under s. 54.07 (1) except as provided in sub. (4) (b). If the commission disapproves the hospital's method of applying the rate increase it shall recommend an alternate method. If the hospital fails to modify its method of applying the rate increase the commission may challenge the method in circuit court. In addition to any other remedy the court may impose under s. 54.25, if the court finds that the hospital's method generates an aggregate increase in the hospital's rates that is inconsistent with the amount authorized by the commission the hospital shall forfeit an amount equal to 50% of the amount overcharged and shall comply with the alternate method recommended by the commission or with any other method ordered by the court that the court finds more consistent with the commission's order. No hospital may change a method of applying its rate increase that has received the commission's approval without submitting the changes to the commission for its approval under this subdivision.

3. Any hospital receiving a rate increase that may only commence between the 2nd and 7th months of its fiscal year may make an adjustment to the rate increase, that applies to that fiscal year only, in order to generate an amount of revenue equal to the amount that would have been generated if the hospital could have commenced the rate increase beginning with the first month of its fiscal year.

(e) Except as provided in s. 54.19, even if a party seeks judicial review of a commission order the affected hospital may continue to bill payers at the rates established by the commission. No hospital that bills payers under this paragraph adversely affects its right to contest the rates established by the commission.

(1m) Notwithstanding sub. (1) (b) and ss. 54.07 (1), 54.13 (2) and 54.15, at the request of a hospital the commission may waive the procedures for review of a rate request and issue an interim order in an emergency.

(2) The commission shall determine the rates of each hospital independently using criteria specified in s. 54.11, but in making these determinations the commission may use methods of identifying similar hospitals.

(3) The commission may adopt rules establishing a system that defines rates as aggregate charges based on case mix measurements if the commission submits its proposed system to the joint committee on finance under s. 13.10, receives that committee's approval and holds a public hearing prior to adopting its rules. Such a system may not take effect prior to January 1, 1987, shall be consistent with the statement of purpose under s. 54.01, shall take into account the reasonable financial requirements of hospitals and shall ensure quality of care and a reasonable cost to patients.

(4) The commission may not:

(a) Require any hospital to use a uniform accounting system.

(b) Reduce rates it has established, prior to the date the commission schedules a succeeding review under s. 54.07 (1), unless the hospital misstated any material fact at a prior rate-setting proceeding. Projections on the volume of hospital services utilized do not constitute material facts under this paragraph.

(bm) During a succeeding review under s. 54.07 (1), reduce rates from levels it has previously established, except in the situations listed in this paragraph. In any of these situations the commission may reduce the hospital's rates if, during the course of its determinations under sub. (1) (a), it finds that a reduction is appropriate. The commission may reduce a hospital's rates during a succeeding review under s. 54.07 (1) only in the following situations:

1. The hospital implements an unauthorized increase in its approved rates, unless the increase is trivial.
2. The hospital fails to use the funds it has prospectively accumulated pursuant to an order issued under this chapter or pursuant to s. 146.60 for a project that is subject to ch. 150.
3. The hospital uses funds for a project that is subject to ch. 150 without receiving an approval under that chapter.
4. The hospital's actual total revenue for its fiscal year exceeds its actual total financial requirements by more than 10%.

(c) Interfere directly in the personal or decision-making relationships between a patient and the patient's physician, except as provided in ss. 54.23 and 54.25 (2). This paragraph does not limit the commission's ability to make determinations under sub. (1) (a) or s. 54.13.

(d) Control directly the volume or intensity of hospital utilization, except as provided in ss. 54.23 and 54.25 (2). This paragraph does not limit the commission's ability to make determinations under sub. (1) (a) or s. 54.13.

(e) Restrict the freedom of patients to receive care at a hospital consistent with their religious preferences or request a hospital that is affiliated with a religious group to act in a manner contrary to the mission and philosophy of the religious group.

(f) Restrict directly the freedom of hospitals to exercise management decisions in complying with the rates established by the commission, unless a hospital agrees to a condition attached to the establishment of particular rates.

(g) Require the submission of nonrelated financial data from religious groups affiliated with a hospital.

**54.19 Injunctions of commission orders.** No injunction may be issued to suspend or stay enforcement of an order of the commission unless all of the following occur:

(1) All parties to the proceeding from which the commission's order was issued are notified of the petition seeking an injunction, given an opportunity to appear at a hearing prior to the issuance of the injunction and are made parties to the proceeding in circuit court.

(2) The party seeking the injunction enters into an undertaking by at least 2 sureties at a level that the circuit court finds sufficient to guarantee the payment of all damages the hospital may sustain by delaying the effect of the commission's order. This subsection does not apply to a hospital that was a party to the proceeding from which the commission's order was issued.

**54.21 Expedited review, expedited cases and exempt hospitals.** (1) The commission may adopt rules under which hospitals meeting specific criteria receive expedited review of rate requests under this chapter.

(2) (a) 1. The commission shall adopt rules that exempt hospitals meeting specific criteria from review under ss. 54.13 to 54.17. If a hospital whose annual gross patient revenue is less than \$5,000,000, adjusted to reflect annual changes in the hospital market basket index, requests a rate increase that is less than the increase that would be generated using the hospital market basket index for the hospital's year under review, the commission shall approve the rate request. If a hospital whose annual gross patient revenue is less than \$50,000,000, adjusted to reflect annual changes in the hospital market basket index, requests a rate increase that is less than 75% of the increase that would be generated using the hospital market basket index for the hospital's year under review, the commission shall approve the rate request.

2. The index specified in subd. 1 shall be the hospital market basket index used for the calculation of hospital rates under s. 146.60.

(b) The commission is not required to approve rate requests under par. (a) if the hospital that requests the rate increase proposes financial requirements that meet 2 or more of the following conditions:

1. The budgeted revenue in accounts receivable exceeds amounts the commission specifies by rule.

2. The budgeted aggregate percentage increase in wages exceeds the average increase approved by the commission during the previous 6 months.

3. The budgeted staffing ratios exceed levels the commission specifies by rule.

4. The total percentage increase of all expenses except wages and other staffing expenses, depreciation and interest exceeds the average increase of financial requirements approved by the commission during the previous 6 months.

(3) The hearing and determination of any judicial proceeding affecting a rule or decision of the commission shall be granted priority over all other pending civil proceedings.

**54.23 Utilization review program.** (1) The commission shall approve an all-patient utilization review program for each hospital. The commission may evaluate these programs as part of its monitoring functions under s. 54.07 (3).

(2) The commission shall contract with one or more independent utilization review programs to develop review standards and may contract with any person to monitor implementation of these programs by hospitals and perform peer review functions for hospitals that fail to meet the performance standards adopted by the commission. The commission may not contract with state agencies, other than the university of Wisconsin system, under this subsection.

(3) Each program the commission approves shall include a general summary of utilization within the hospital. These programs need not otherwise be identical but shall meet minimum standards established by the commission and shall:

(a) Evaluate the medical necessity or appropriateness of care relative to admissions, lengths of stay and ancillary services.

(b) Report to the commission, in conjunction with each hospital's submission of proposed financial requirements, any findings it has made regarding unnecessary or inappropriate medical care utilization and associated costs.

**54.25 Enforcement.** (1) (a) Until the commission establishes different rates under this chapter, no hospital may charge any payer an amount exceeding the rates established under s. 146.60. No hospital may charge any payer an amount exceeding the rates established under this chapter.

(b) The attorney general may seek a judicial remedy to enforce compliance with par. (a) until January 1, 1985, if the attorney general first notifies the hospital and provides the hospital a reasonable time to correct a violation. The commission may seek a judicial remedy to enforce compliance with any statutory requirement or with any rule or order

of the commission if it first notifies the hospital and provides the hospital a reasonable time to correct a violation. The commission shall commence any action under this paragraph in the circuit court of the county in which the hospital is located.

(c) Any court that finds an intentional failure to comply with the rates under this subsection may impose a forfeiture of up to \$5,000. Each week that a hospital continues its intentional failure to comply with the rates constitutes a separate violation.

(2) Neither a hospital nor a physician may be paid for a service that a utilization review program under s. 54.23 determines is medically unnecessary or inappropriate. If the hospital or physician has already been paid the hospital or physician shall reimburse the payer within 30 days. The commission may commence an action to enforce this subsection in the circuit court of the county in which the hospital is located.

(3) Any court with jurisdiction over an action brought under this section may adopt remedies it finds necessary to enforce compliance. Remedies under this section apply notwithstanding the existence or pursuit of any other remedy.

(4) Any person who intentionally violates an order of a hearing examiner issued under s. 227.09 (7) to protect trade secrets shall forfeit \$5,000.

**54.27 Staffing the commission.** The commission may employ counsel, who may appear in any hearing or trial of the commission or in which the commission is a party, and may employ staff. The commission may employ a staff director, who shall be in the unclassified service. Commission staff shall offer its services to the hospital rate-setting council and shall, at the request of the department, review applications for approval of hospital projects under subch. III of ch. 150 and submit their assessments of these projects to the department for consideration. Commission staff may also appear at hearings concerning these projects. Assessments of these projects by commission staff may be incorporated into proceedings involving rate requests submitted by the hospital.

**54.29 Hospital rate-setting council.** The hospital rate-setting council shall:

(1) Advise the commission on matters relating to implementing this chapter, to containing hospital costs and to maintaining the quality of health care.

(2) Review and comment on proposed commission rules prior to the date the commission proposes its rules in final draft form. The council shall complete its review and submit its comments to the commission within time limits specified by the commission. The commission shall transmit the written majority and minority comments, if any, of the council to the presiding officer of each house of the legislature under s. 227.018 (2).

(3) Periodically issue reports concerning:

(a) The performance of the commission and its operations.

(b) Recommended alternate rate-setting methodologies.

(c) The degree to which general relief under ss. 49.02 to 49.04, medical assistance under ss. 49.43 to 49.47 and medicare under 42 USC 1395 to 1395xx do not pay rates equal to the rates paid by nongovernment payers. Reports under this paragraph shall be issued annually and shall discuss these effects on both a statewide and individual hospital basis.

(d) The policy implications to hospitals and nongovernment payers of discounts granted to nongovernment payers. Reports under this paragraph shall be issued annually.

(4) Issue recommendations concerning methods of scheduling rate requests.

(5) Prepare written minutes of each of its meetings.

**54.31 Financing the commission's operations.** Commencing July 1, 1985, the commission shall annually, within 90 days after the commencement of each fiscal year, estimate its total expenditures during the ensuing calendar year. From the appropriation under s. 20.441 (1) (a) the commission shall draw the amount that is budgeted for this calendar

year. The commission shall assess the remaining amount to the hospitals in proportion to each hospital's respective gross patient revenues during the hospital's last fiscal year. Each hospital shall pay its assessment for the ensuing year on or before December 1. All payments shall be deposited in the appropriation under s. 20.441 (1) (g).

**54.33 Applicability.** This chapter does not apply after July 1, 1989.

SECTION 1131b. 55.06 (5) and (8) (intro.) of the statutes are amended to read:

55.06 (5) Notice of a petition for placement shall be served upon the person sought to be placed by personal service at least 10 days prior to the time set for a hearing. Upon service of the notice the person sought to be protected shall be informed of the complete contents of the notice. The person serving the notice shall return a certificate to the circuit judge verifying that the petition has been delivered and notice given. The notice shall include the names of all petitioners. Notice shall also be served personally or by mail upon the person's guardian ad litem, legal counsel, guardian, if any, presumptive adult heirs, and upon other persons who have physical custody of the person to be protected whose names and addresses are known to the petitioner or can with reasonable diligence be ascertained, to any governmental or private body or group from whom the person to be protected is known to be receiving aid and to such other persons or entities as the court may require. Notice shall also be served personally or by mail upon the department at least 10 days prior to the time set for hearing if the person sought to be protected may be placed in a center for the developmentally disabled. The department shall be allowed to submit oral or written testimony regarding such a placement at the hearing. The incompetent or proposed incompetent is presumed able to attend the hearing unless, after a personal interview, the guardian ad litem certifies to the court that the person is unable to attend.

(8) (intro.) Before ordering the protective placement of any individual, the court shall direct a comprehensive evaluation of the person in need of placement, if such an evaluation has not already been made. The court may utilize available multidisciplinary resources in the community in determining the need for placement. The board designated under s. 55.02 or an agency designated by it shall cooperate with the court in securing available resources. Where applicable by reason of the particular disability, the appropriate board designated under s. 55.02 or an agency designated by it having responsibility for the place of legal residence of the individual as provided in s. 49.10 (12) (c) shall make a recommendation for placement. If the court is considering placement of the individual in a center for the developmentally disabled, the court shall request a statement from the department regarding whether the placement is appropriate for the person's needs and whether it is consistent with the purpose of the center under s. 51.06 (1) unless testimony was provided by the department under sub. (5). A copy of the comprehensive evaluation shall be provided to the guardian, the guardian ad litem, and to the individual or attorney at least 96 hours in advance of the hearing to determine placement. The court or the cooperating agency obtaining the evaluation shall request appropriate information which shall include at least the following:

SECTION 1131c. 56.01 (1) of the statutes is renumbered 56.01 (1) (b) and amended to read:

56.01 (1) (b) The department, with the approval of the prison industries board, may establish industries for the employment of inmates in the state prisons, for. Prison industries may engage in manufacturing articles for the state and its political subdivisions and any tax-supported institution or nonprofit agency and for sale of such articles to other states or political divisions thereof or to the United States, and. The department shall fix the price of all products and services as near the market price as possible. In this section, "manufacturing" includes reprocessing, repairing, salvaging, servicing and storing, and supplies, materials and equipment may be reconditioned for sale under s. 16.72 Supplies,

materials and equipment may be reconditioned by prison industries for sale under s. 16.72.

SECTION 1131d. 56.01 (1) (a) of the statutes is created to read:

56.01 (1) (a) In this subsection “manufacturing” includes reprocessing, repairing, salvaging, servicing and storing.

SECTION 1131e. 56.01 (4) of the statutes is amended to read:

56.01 (4) **WAGE STANDARDS.** All inmates shall be paid a wage which is based on the productivity of the work the inmates perform. Wages may be established at an hourly rate plus an incentive wage based on productivity and piecework formulas may be created. However, wages shall not be set at a rate such as to cause a deficit on operations. Changes in inmate wage rate schedules may not be made without approval of the prison industries board.

SECTION 1131f. 56.01 (6) of the statutes is repealed and recreated to read:

56.01 (6) **GOAL.** To the extent possible, prison industries shall be operated in a manner that is similar to private business and industry. The primary goal of prison industries shall be to operate in a profitable manner. Within this goal, inmates employed in prison industries shall be provided with training and work experience that allows them to develop skills necessary to retain employment in outside business and industry. Consistent with available resources, inmates employed in prison industries may be required to take education courses related to their work to enhance their capacity for employment upon release from prison.

SECTION 1131g. 56.01 (8) of the statutes is amended to read:

56.01 (8) **DISPOSITION OF EARNINGS.** The department has the authority to determine how much, if any, of the earnings of an inmate may be spent and for what purposes they may be spent within the confines of the prison. The department shall distribute earnings for the crime victim and witness assistance surcharge under s. 973.045 (4) and may distribute earnings for the support of the inmate’s dependents and for other obligations either acknowledged by the inmate in writing or which have been reduced to judgment that may be satisfied according to law.

SECTION 1131h. 56.01 (9) of the statutes is created to read:

56.01 (9) **STAFF SERVICES.** The department shall provide staff services to the prison industries board.

SECTION 1131i. 56.015 of the statutes is created to read:

**56.015 Prison industries board.** (1) The prison industries board has the following powers and duties:

(a) The department shall submit each department biennial budget request for prison industries and every substantial department-proposed modification of the prison industries budget to the board for review before it is submitted to the department of administration, governor, joint committee on finance or legislature. If the board does not approve the budget request or modification, the board may develop an alternative proposal or a statement that shall be appended to the budget request or modification and submitted with it.

(b) The board shall develop a plan containing recommendations for the manufacture and marketing of prison industries products and for the provision of prison industries services. The plan may include, but is not limited to, recommended market research, product modifications, manufacturing techniques, pricing policies, advertising and elimination or establishment of specific industries or products. No prison industry may be established or permanently closed without approval of the board.

(c) Prior to submission to the legislative council staff for review under s. 227.029, departmental rules relating to hiring, termination, evaluation and compensation of, or other conditions of employment for, inmates in prison industries shall be submitted to the board for approval. Board authority over rules shall not extend to determination of which inmates are eligible for employment in prison industries or to security matters.

(d) No purchase of more than \$250,000 may be made for prison industries without prior approval of the board.

(2) When exercising its powers, the board shall consider the effect of its actions on private business, industry and labor.

SECTION 1131j. 56.016 of the statutes is created to read:

**56.016 Accounting system.** On or before July 1, 1984, the department shall establish and implement an accounting system for prison industries, in conformance with generally accepted accounting principles, for purposes of internal budget control. The department shall continue to provide cash-based financial reports and information for prison industries that are required by the department of administration.

SECTION 1131m. 56.018 of the statutes is created to read:

**56.018 Quarterly report.** The departments of health and social services and administration shall report, on a quarterly basis, to the joint committee on finance on the status of the prison industries program. The report shall include all of the following:

(1) The year-to-date cash balance of each industry.

(2) The amount expended by state agencies for wood furniture and for printing of forms, and the portion of that amount for furniture and printing provided by prison industries.

(3) A projection of the year-end cash balance and, if this amount is negative, whether it is anticipated that the negative balance will be fully offset by assets.

SECTION 1131p. 56.02 (1) of the statutes is amended to read:

56.02 (1) ~~The~~ With the approval of the prison industries board, the department may maintain and operate at the Waupun correctional institution the necessary buildings, machinery and equipment for the manufacture of binder twine.

SECTION 1131r. 56.065 (5) (bn) of the statutes is created to read:

56.065 (5) (bn) Payment of the crime victim and witness assistance surcharge under s. 973.045 (4);

SECTION 1132. 56.068 (1) (a) to (c) of the statutes are amended to read:

56.068 (1) (a) To visit a parent, child, spouse, grandparent, brother or sister who is seriously ill.

(b) To attend the funeral of a parent, child, spouse, grandparent, brother or sister.

(c) To contact a prospective employer ~~who has requested an interview~~.

SECTION 1133. 56.068 (1) (d) and (e) of the statutes are created to read:

56.068 (1) (d) To screen for or diagnose or treat an injury, illness or disease.

(e) To visit a parent, child, spouse, grandparent, brother or sister to facilitate family reintegration and stability.

SECTION 1134. 56.068 (1m) of the statutes is created to read:

56.068 (1m) In sub. (1), "parent" includes a person who was previously a person acting as parent, as defined in s. 822.02 (8), for the inmate.

SECTION 1135. 56.068 (2) of the statutes is amended to read:

56.068 (2) The validity of an inmate's request for leave shall be investigated by an employe or designee of the department, and the proposed conditions of the leave, including date of departure, duration, and date of return, shall be evaluated by the employe or designee. Before an inmate is released on leave, the department shall notify the police chief of any community and the sheriff and district attorney of any county involved.

SECTION 1136. 56.068 (3) of the statutes is amended to read:

56.068 (3) No inmate may be granted more than 3 leaves per calendar year, and no in total under sub. (1) (a), (b) and (e). No leave may exceed 3 days, exclusive of travel time, unless an extension not to exceed 3 days is granted for cause by the department.

SECTION 1136m. 57.06 (3e) of the statutes is created to read:

57.06 (3e) The department shall make either an electronic or stenographic record of all testimony at each parole revocation hearing. The department shall prepare a written transcript of the testimony only at the request of a judge who has granted a petition for judicial review of the revocation decision. Each hearing notice shall include notice of the provisions of this subsection and a statement that any person who wants a written transcript may record the hearing at his or her own expense.

SECTION 1136r. 58.065 of the statutes is repealed.

~~SECTION 1136t. 59.83 (2) (a) and (3) (b) 1 of the statutes are amended to read:~~

~~59.83 (2) (a) *Composition, supervisory districts.* Within 60 days after the population count by enumeration district or block, established in the decennial federal census of population, becomes available in printed form from the federal government or is published for distribution by an agency of this state, the board shall adopt and transmit to the governing body of each city and village in the county a tentative county supervisory district plan to be considered by the cities and villages when dividing into wards. The plan shall specify the number of supervisors to be elected and shall divide the county into a number of districts equal to the number of supervisors, with each district substantially equal in population and consisting of whole wards. Except as otherwise provided in this paragraph, the board shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a final plan by ordinance in accordance with sub. (3) (b) 2 to 4.~~

~~(3) (b) 1. Within 60 days after the population count by enumeration district or block, established in the decennial federal census of population, becomes available in printed form from the federal government or is published for distribution by an agency of this state, each board shall adopt and transmit to each municipal governing body in the county a tentative county supervisory district plan. The plan shall divide the county into districts setting forth the number of supervisory districts and tentative boundaries or a description of boundary requirements. Each district shall consist of whole wards or municipalities and shall be designated to be represented by one or 2 supervisors; however, no supervisory district for the election of 2 supervisors may include territory for which the U.S. bureau of the census has provided block statistics. All districts designated to be represented by one supervisor shall be substantially equal in population. All districts designated to be represented by 2 supervisors shall be substantially equal in population, which population shall be approximately twice the population of each district in the county designated to be represented by one supervisor, if any. The board shall solicit suggestions from municipalities concerning development of an appropriate plan. In the tentative plan, the board shall, whenever possible, give first preference to placing whole contiguous municipalities or parts of the same municipality within the same district and 2nd preference to placing whole contiguous enumeration districts within the same district. In the event that a division of a municipality or enumeration district is sought by the board, the board shall provide with the plan a written statement to the municipality affected by each proposed division specifying the approximate loca-~~

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**Vetoed in Part** tion of the territory from which a ward is sought to be created for community purposes and the approximate population of the ward proposed to effectuate the division.

SECTION 1137. 59.07 (97) of the statutes is amended to read:

59.07 (97) CHILD AND SPOUSAL SUPPORT; PATERNITY PROGRAM; MEDICAL SUPPORT LIABILITY PROGRAM. The county board shall contract with the department of health and social services to implement and administer the child and spousal support and establishment of paternity and the medical support liability programs provided for by Title IV of the federal social security act. The board may designate by board resolution any office, officer, board, department or agency as the county designee. The board or its designee shall implement and administer the programs in accordance with the contract with the state department of health and social services. The district attorney, corporation counsel, family court commissioner, clerk of court and all other county officials shall cooperate with the county and the department as necessary to provide the services required under the programs. ~~The department shall ensure that such contracts are for amounts reasonable and necessary to assure quality of service. If a county refuses to name a local designee or fails to fully implement the programs in accordance with department guidelines, the state may implement the programs.~~ The county shall charge the fee established by the department under s. 46.25 for services provided under this subsection to persons not receiving assistance under s. 49.19 or 49.47.

SECTION 1137n. 59.07 (133) of the statutes is created to read:

59.07 (133) RECYCLING OR RESOURCE RECOVERY FACILITIES. Establish and require use of facilities for the recycling of solid waste or for the recovery of resources from solid waste as provided under s. 144.794.

SECTION 1138. 59.07 (135) (q) of the statutes is repealed.

SECTION 1139m. 59.07 (142) of the statutes is created to read:

59.07 (142) COOPERATIVE LAW ENFORCEMENT AGREEMENTS WITH INDIAN TRIBES. Except as provided in s. 165.91 (4), upon adoption of a resolution a county board may enter into an agreement and seek funding under s. 165.91 with an Indian tribe whose tax-exempt reservation is located in the county to establish a cooperative county-tribal law enforcement program to provide law enforcement services on the reservation. This subsection does not apply after July 1, 1986.

SECTION 1140. 59.20 (4m) of the statutes is created to read:

59.20 (4m) Annually by April 15th, furnish to the department of revenue the completed tax roll settlement sheets prescribed under s. 70.09 (3).

SECTION 1141. 59.20 (5) (b) of the statutes is amended to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 29.997 for the natural resources assessment surcharge and the amount required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 1142. 59.21 (8) (a) of the statutes is amended to read:

59.21 (8) (a) In counties having a population of less than 500,000, the county board may by ordinance fix the number of deputy sheriffs to be appointed in said county which number shall not be less than that required by sub. (1) (a) and (b), and fix the salary of such deputies; and may further provide by ordinance, that deputy sheriff positions shall

be filled by appointment by the sheriff from a list of 3 persons for each position, such list to consist of the 3 candidates who shall receive the highest rating in a competitive examination of persons residing in this state for at least one full year prior to the date of such examination. Such competitive examinations may be by a county civil service commission or by the division of merit recruitment and selection in the department of administration employment relations at the option of the county board and it shall so provide by ordinance. The division of merit recruitment and selection in the department of administration employment relations shall upon request of the county board conduct such examination according to the methods used in examinations for the state civil service and shall certify an eligible list of 3 names for each position to the sheriff of such county who shall thereupon make an appointment from such list to fill such position within 10 days after the receipt of such eligible list. The county for which such examination is conducted shall pay the cost thereof. If a civil service commission is decided upon for the selection of deputy sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent with this subsection, except ss. 63.03, 63.04 and 63.15 and except the provision governing minimum compensation of the commissioners. The ordinance or an amending ordinance may provide for employe grievance procedures and disciplinary actions, for hours of work, for tours of duty according to seniority and for other administrative regulations. County board provisions consistent herewith and existing on July 25, 1951, are validated.

SECTION 1143. 59.39 (9m) of the statutes is amended to read:

59.39 (9m) Keep a record of all payments and arrearages in payments ordered by the court under s. 52.05, 52.055, 767.25 to 767.265 ~~or~~, 767.29 (1), 767.41 or 767.51. The clerk may contract with the department of health and social services for the department to keep this record.

SECTION 1144. 59.395 (5) of the statutes is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state's percentage of the fees required to be paid on each civil action, criminal action and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1145. 59.715 (21) of the statutes is amended to read:

59.715 (21) Case records and other record material of all public assistance kept as required under ch. 49, if no payments have been made for at least 3 years and if a face sheet or similar record of each case and a financial record of all payments for each aid account are preserved in accordance with rules adopted by the department of health and social services. If the department of health and social services has preserved such case records and other record material on computer disc or tape or similar device, a county may destroy the original records and record material under rules adopted by the department.

SECTION 1146. 60.175 of the statutes is repealed.

SECTION 1146m. 60.29 (36) of the statutes is created to read:

60.29 (36) DISPOSITION OF DEAD ANIMALS. Notwithstanding ss. 59.07 (84) and 95.50 (3), a town board may dispose of any dead animal within the town or may contract for such removal and disposition with any private disposal facility. A town may enter into a

contract with any other governmental unit under s. 66.30 to provide for such removal and disposition. A town may recover its costs under this subsection by levying a special assessment under s. 66.345.

SECTION 1147. 60.45 (8) of the statutes is amended to read:

60.45 (8) To furnish to the town board of audit at ~~the~~ its annual meeting under s. 60.32 every statement received from the county treasurer of money paid to the town treasurer and all other information respecting the fiscal affairs of the town in his possession, and all accounts, claims and demands against the town filed with him.

SECTION 1147m. 61.345 of the statutes is created to read:

**61.345 Recycling or resource recovery facilities.** A village may establish and require use of facilities for the recycling of solid waste or for the recovery of resources from solid waste as provided under s. 144.794.

SECTION 1148. 61.46 (3) of the statutes is repealed.

SECTION 1149. 62.071 (1) and (2) of the statutes are amended to read:

62.071 (1) Except as provided in subs. (3) and (4), no petition for annexation to a city operating its schools under ch. 119 shall be considered which will result in detachment of more than 20% of the equalized value of a school district. Upon receipt of a petition for annexation the city clerk shall determine in the following manner whether the proposed annexation will result in such detachment. The equalized value of the school district shall be determined as of the date of filing the petition for annexation. The city clerk shall add to the equalized value of the territory proposed to be annexed, as of the date of filing the petition for annexation, the equalized value as of the date of such detachment of any territory detached within the 3 years previous to the filing of the annexation petition from the district in any manner, and ~~he~~ the city clerk shall certify a copy of his or her determination to the school district clerk and the secretary of the agency school committee school district boundary appeal board. If the total of such value exceeds 20% of the equalized value of the district as of the date of filing the annexation petition, the proposed annexation shall not occur except as provided in subs. (3) and (4). All equalized values shall be determined by the state supervisor of assessments upon application by the city clerk. When more than one school district is involved in a proposed annexation, a separate determination shall be made for each district involved.

(2) If the common council wishes to consider the annexation petition, it shall direct the city clerk to notify the clerk of each school district concerned and the secretary of the agency school committee school district boundary appeal board that a petition for annexation, which will result in detachment of more than 20 ~~per cent~~ % of a school district, has been filed. Such notice shall be in writing and shall describe the territory proposed to be annexed and name the school district or districts from which it will be detached.

SECTION 1150. 62.12 (4m) of the statutes is repealed.

SECTION 1150m. 62.225 of the statutes is created to read:

**62.225 Recycling or resource recovery facilities.** A city may establish and require use of facilities for the recycling of solid waste or for the recovery of resources from solid waste as provided under s. 144.794.

SECTION 1152. 65.07 (2) of the statutes is repealed.

SECTION 1152p. 66.021 (16) of the statutes is created to read:

66.021 (16) **EFFECTIVE DATE OF ANNEXATIONS.** Because the creation of congressional, legislative, supervisory and aldermanic districts of equal population is a matter of state-wide concern, any annexation action taken by a municipality during the period beginning on April 1 of the year commencing after each federal decennial census of population and ending on July 31 of the 2nd year commencing after that census is effective on August 1 of the 2nd year commencing after that census or at such later date as may be

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specified in the annexation ordinance. This subsection first applies to annexations effective after March 31, 1991.

SECTION 1152r. 66.022 (6) of the statutes is created to read:

66.022 (6) Because the creation of congressional, legislative, supervisory and aldermanic districts of equal population is a matter of statewide concern, any detachment action taken by a municipality during the period beginning on April 1 of the year commencing after each federal decennial census of population and ending on July 31 of the 2nd year commencing after that census is effective on August 1 of the 2nd year commencing after that census or at such later date as may be specified in the detachment ordinance. This subsection first applies to detachments effective after March 31, 1991.

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SECTION 1153g. 66.073 (16) (b) of the statutes is amended to read:

66.073 (16) (b) The property of a company, including any proportional share of any property owned by a company in conjunction with any other person or public agency, is declared to be public property used for essential public and governmental purposes and such property or proportional share, a company and its income shall be exempt from all taxes of the state or any state public body except that for each project owned or partly owned by it, a company shall make payments-in-lieu-of-taxes to the state equal to the amount which would be paid to the state under ~~ch. 76 ss. 76.01 to 76.26~~ for such project or share thereof if it were deemed to be owned by a ~~light, heat and power~~ company under s. 76.02 (8) (9). The payment shall be determined, administered and distributed by the state in the same manner as the taxes paid by ~~light, heat and power~~ companies under ~~ch. 76, except that the rate based on the value of the property applicable to light, heat and power companies taxed under ch. 76, which is to be used in determining such a payment, shall be adjusted downward to obtain a rate net of public utility tax credits received under s. 79.10 ss. 76.01 to 76.26.~~

SECTION 1154. 66.225 of the statutes is created to read:

**66.225 Dissolution.** If a district has been inactive for at least 2 years and if the department receives certified copies of a resolution recommending the dissolution of the district adopted by the governing bodies of every municipality owning or operating the district, upon a finding that all outstanding indebtedness of the district has been paid and all unexpended funds returned to the municipality which supplied them, or that adequate provision has been made therefor, the department shall either order or deny dissolution of the district.

SECTION 1155. 66.25 (2) of the statutes is amended to read:

66.25 (2) TAX LEVY. The commission may levy a tax upon the taxable property in the district as equalized by the department of revenue for state purposes for the purpose of carrying out and performing duties under ss. 66.20 to 66.26 but the amount of any such tax in excess of that required for maintenance and operation and for principal and interest on bonds shall not exceed, in any one year, one mill for each dollar of such assessed valuation of the taxable property in the district. The tax levy may be spread upon the respective real estate and personal property tax rolls of the city, village and town areas included in the district taxes, and shall not be included within any limitation on county or municipality taxes. Such moneys when collected shall be paid to the treasurer of such district.

SECTION 1155m. 66.29 (6) and (7) of the statutes are amended to read:

66.29 (6) SEPARATION OF CONTRACTS. On those public contracts calling for the construction, repair, remodeling or improvement of any public building or structure, other than highway structures and facilities, the municipality ~~shall separately let (a) plumbing, (b) heating and ventilating, and (c) electrical contracts where such labor and materials are called for~~ may bid projects based on a single or multiple division of the work. Contracts shall be awarded according to the division of work selected for bidding. The mu-

municipality may set out in any public contract reasonable and lawful conditions as to the hours of labor, wages, residence, character and classification of workmen to be employed by any contractor, and to classify such contractors as to their financial responsibility, competency and ability to perform work and to set up a classified list of contractors pursuant thereto; and such municipality may also reject the bid of any person, if such person has not been classified pursuant to the said questionnaire for the kind or amount of work in said bid.

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~~(7) BIDDER'S CERTIFICATE. On all contracts the bidder shall incorporate and make a part of his proposal for the doing of any work or labor or the furnishing of any material in or about any public work or contract of the municipality a sworn statement by himself, or if not an individual by one authorized, that he has examined and carefully prepared said proposal from the plans and specifications and has checked the same in detail before submitting said proposal or bid to the municipality, board, department or officer charged with the letting of bids and also at the same time as a part of said proposal, submit a list of the subcontractors he proposes to contract with, and amounts of their bids and the class of work to be performed by each, provided that to qualify for such listing such subcontractor must first submit his bid in writing, to the general contractor at least 48 hours prior to the time of the bid closing, which list shall not be added to nor altered without the written consent of the municipality. A proposal of a bidder shall not be invalid if any subcontractor and the class of work to be performed by such subcontractor has been omitted from a proposal; such omission shall be considered as inadvertent, or that the bidder will perform the work himself.~~

SECTION 1155mm. 66.345 of the statutes is amended to read:

**66.345 (title) Special assessments by towns.** Any town board may levy special assessments against lands or interests specially benefited for the amount expended by the town for removal and disposition of dead animals under s. 60.29 (36), soil conservation work pursuant to under s. 66.34 and for snow removal pursuant to under s. 86.105. Such levy shall be a lien on the property against which it is levied on behalf of the town from the date of the determination of the assessment by the board. The board shall provide for the collection of the assessments and may establish penalties for payment after the due date, and shall provide that the assessments thereof which are not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to collection, return and sale of property for delinquent real estate taxes shall apply to such special assessment.

SECTION 1155n. 66.38 (1) (d) of the statutes is amended to read:

66.38 (1) (d) "Municipality" means any city, ~~town or village in a county~~ with a population greater than ~~500,000~~ 75,000.

SECTION 1156. 66.46 (2) (b) of the statutes is repealed.

SECTION 1157. 66.46 (5) (b) of the statutes is amended to read:

66.46 (5) (b) Upon application in writing by the city clerk, in such form as the department of revenue may prescribe, the department shall determine according to its best judgment from all sources available to it the full aggregate value of the taxable property in such district, which aggregate valuation, upon certification thereof by it to the city clerk, constitutes the tax incremental district. The department shall certify this aggregate valuation to the city clerk, and the aggregate valuation shall constitute the tax incremental base of ~~such the tax incremental district.~~ The city clerk shall complete these forms and submit the application on or before December 31 of the year the tax incremental district is created, as defined in sub. (4) (gm) 2.

SECTION 1157m. 66.46 (5) (c) of the statutes is amended to read:

66.46 (5) (c) If the city adopts an amendment to the original project plan for any district which includes additional project costs at least part of which will be incurred ~~more than 5 years after the district is created~~ after the period specified in sub. (6) (am) 1, the tax incremental base for the district shall be redetermined under par. (b) as of the January 1 following the effective date of the amendment, except that if the effective date of the amendment is January 1 of any year, the redetermination shall be made on that date. The tax incremental base as redetermined under this paragraph is effective for the purposes of this section only if it exceeds the original tax incremental base determined under par. (b).

SECTION 1158. 66.46 (5) (d) of the statutes is amended to read:

66.46 (5) (d) The department of revenue shall not certify the tax incremental base as provided in par. (b) until it determines that each of the procedures and documents required by sub. (4) (a), (b), (gm) or (h) ~~and par. (b)~~ has been timely completed and all notices required under sub. (4) (a), (b), (gm) or (h) timely given. The facts supporting any document adopted or action taken to comply with sub. (4) (a), (b), (gm) or (h) shall not be subject to review by the department of revenue under this paragraph.

SECTION 1158m. 66.46 (5) (g) of the statutes is amended to read:

66.46 (5) (g) The department of revenue shall annually give notice to the designated finance officer of all governmental entities having the power to levy taxes on property within each district as to the equalized value of such property and the equalized value of the tax increment base. Such notice shall also explain that the entire amount of a tax increment ~~allocable~~ allocated to a city will be paid to the city as provided under sub. (6) (b) from the taxes collected.

SECTION 1159. 66.46 (6) (a) (intro.) of the statutes is amended to read:

66.46 (6) (a) (intro.) ~~Positive~~ ~~Except as provided in sub. (6g), positive~~ [Positive] tax **Vetoed in Part** increments with respect to a tax incremental district are allocated to the city which created the district for each year commencing after the date when a project plan is adopted under sub. (4) (g). The department of revenue shall not authorize allocation of tax increments until it determines from timely evidence submitted by the city that each of the procedures and documents required under sub. (4) (d) to (f) have been completed and all related notices given in a timely manner. The department of revenue may authorize allocation of tax increments for any tax incremental district only if the city clerk and assessor annually submit to the department all required information on or before the 2nd Monday in June. The facts supporting any document adopted or action taken to comply with sub. (4) (d) to (f) shall not be subject to review by the department of revenue under this paragraph. Thereafter, tax increments shall be annually allocated to the city that created such a district until the earlier of:

SECTION 1159e. 66.46 (6) (a) 2 of the statutes is amended to read:

66.46 (6) (a) 2. Fifteen years after the last expenditure identified in the project plan is made, subject to the limitation that tax increments may not be allocated later than 20 years after the tax incremental district is created.

(am) 1. No expenditure may be made later than 5 years after the tax incremental district is created, except for project costs incurred under ch. 32, unless an amendment is adopted by the local legislative body under sub. (5) (e) except that for districts created on or before May 1, 1978, no expenditure may be provided for in the initial project plan more than 6 years after the creation of the district if the tax incremental district is created after December 31, 1980; no expenditure may be made later than 7 years after the tax incremental district was created, if the tax incremental district was created on or before December 31, 1980 and after May 1, 1976; and no expenditure may be made later than 8 years after the tax incremental district was created, if the tax incremental district was created on May 1, 1976.

3. For tax incremental districts for which the resolution under sub. (4) (gm) is adopted on or after July 31, 1981, no expenditure may be made before the date the project plan is approved, except for costs directly related to planning the tax incremental district. In the preceding sentence, this subdivision "expenditure" means the exchange of money for the delivery of goods or services.

4. For purposes of this subdivision paragraph, the date of creation of a tax incremental district for which a resolution was adopted by the local legislative body prior to July 31, 1981 is the January 1 date set under sub. (4) (gm) 2 and the date of creation of any other tax incremental district is the date the local legislative body adopts the resolution under sub. (4) (gm). is:

SECTION 1159m. 66.46 (6) (am) 2 and 4. a to c of the statutes are created to read:

66.46 (6) (am) 2. The limitations on the period during which expenditures may be made under subd. 1 do not apply to:

a. Expenditures to pay project costs incurred under ch. 32.

b. Expenditures authorized by the adoption of an amendment to the project plan under sub. (5) (c).

4. a. The May 1 date set under s. 66.46 (4) (c) 2, 1977 stats., if the local legislative body adopts a resolution to create the tax incremental district on or before May 1, 1978.

b. The January 1 date set under sub. (4) (gm) 2, if the local legislative body adopts a resolution to create the tax incremental district after May 1, 1978, and prior to July 31, 1981.

c. The date the local legislative body adopts the resolution under sub. (4) (gm), if the local legislative body adopts a resolution to create the tax incremental district on or after July 31, 1981.

SECTION 1160e. 66.46 (6) (b) of the statutes is amended to read:

66.46 (6) (b) Notwithstanding any other provision of law Except as provided in sub. (6g), every officer charged by law to collect and pay over or retain local general property taxes shall, first, on the next settlement date provided by law, pay over to the city treasurer out of all the taxes which the officer has collected the total amount of a tax increment allocable to that city.

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SECTION 1160m. 66.46 (6g) of the statutes is created to read:

66.46 (6g) APPROVAL REQUIRED TO ALLOCATE SCHOOL DISTRICT TAX INCREMENTS. (a) This subsection applies only to tax incremental districts created by a resolution under sub. (4) (gm) that was adopted after the effective date of this subsection (1983).

(b) Positive tax increments of a tax incremental district that are generated by the levies of a school district may be allocated to the city that created the tax incremental district under sub. (6) only if the school board approves the allocation.

SECTION 1160q. 66.46 (6m) (b) 2 of the statutes is amended to read:

66.46 (6m) (b) 2. Twelve months after the end of the 5-year expenditure period under specified in sub. (6) (a) 2 (am) 1; and

SECTION 1160s. 66.46 (11) (a) of the statutes is amended to read:

66.46 (11) (a) With Except as provided in par. (c), with respect to the county-school districts and any other local governmental body having the power to levy taxes on property located within a tax incremental district, if the allocation of positive tax increments has been authorized by the department of revenue under sub. (6) (a), the calculation of the equalized valuation of taxable property in a tax incremental district for the apportionment of property taxes may not exceed the tax incremental base of the district until the district is terminated.

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SECTION 1161. 66.46 (11) (b) of the statutes is repealed.

~~SECTION 1161c. 66.46 (N) (c) of the statutes is created to read:  
66.46 (1) (c). For any tax incremental district specified in sub. (6g) (a), the method specified under par. (a) of calculating the equalized valuation of a school district's taxable property in the tax incremental district does not apply unless the school board approves the allocation of positive tax increments under sub. (6g) (b).~~

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SECTION 1161f. 66.504 of the statutes is created to read:

**66.504 Joint civic buildings.** (1) **DEFINITIONS.** In this section:

(a) "Municipality" means a county, city, village, town, vocational, technical and adult education district and school district.

(b) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(2) **FACILITIES AUTHORIZED.** A municipality may enter into a joint contract with a nonprofit corporation organized for civic purposes and located in the municipality to construct or otherwise acquire, equip, furnish, operate and maintain a facility to be used for municipal and civic activities if a majority of the voters voting in a referendum at a special election or at a spring primary or election or September primary or general election approve the question of entering into the joint contract.

(3) **FINANCING.** A municipality may borrow money, appropriate funds and levy taxes needed to carry out the purposes of this section. Funds to be used for the purposes specified in this section may be provided by a municipality by general obligation bonds issued under ch. 67. Funds to be used for the purposes specified in this section may be provided by a county or city by revenue bonds issued under s. 66.51. Any bonds issued under this section shall be executed on behalf of the municipality by the chief executive officer and clerk thereof.

(4) **COST SHARING.** Any contract under this section shall provide that all of the cost of construction or other acquisition, equipment, furnishing, operation and maintenance of a facility shall be paid by the municipality and nonprofit corporation on an agreed percentage basis.

SECTION 1161m. 66.521 (2) (b) 7 of the statutes is amended to read:

66.521 (2) (b) 7. Hospital, clinic or nursing home facilities; not requiring approval by the department of health and social services under ch. 150, if one of the following is met:

SECTION 1161n. 66.521 (2) (b) 7. a and b and 7m of the statutes are created to read:

66.521 (2) (b) 7. a. The facility will be built in a medically underserved area, as determined by the local health systems agency as defined in s. 140.83 (1) or, if none, by the department of health and social services.

b. The facility will replace and be located within 0.25 miles of an existing facility;

7m. Animal hospitals and veterinary clinics;

SECTION 1162. 66.64 (1) of the statutes is amended to read:

66.64 (1) The property of the state, except that held for highway right-of-way purposes or acquired and held for purposes under s. 85.09, and the property of every county, city, village, town, school district, sewerage district or commission, sanitary or water district or commission, or any public board or commission within this state, and of every corporation, company or individual operating any railroad or street railway, telegraph, telephone, electric light or power system, or doing any of the business mentioned in ch. 76, and of every other corporation or company whatever, shall be in all respects subject to all special assessments for local improvements. Certificates and improvement bonds therefor may be issued and the lien thereof enforced against such property, except property of the state, in the same manner and to the same extent as the property of individuals. Such assessments shall not extend to the right, easement or franchise to operate or maintain railroads, street railways, telegraph, telephone or electric light or power sys-

tems in streets, alleys, parks or highways. The amount represented by any certificate or improvement bond issued as aforesaid shall be a debt due personally from such corporation, company or individual, payable in the case of a certificate when the taxes for the year of its issue are payable, and in the case of a bond according to the terms thereof.

SECTION 1162c. 66.64 (2) of the statutes is amended to read:

66.64 (2) (a) In this subsection, "assessment" means a special assessment on property of the state and "project" means any continuous improvement within overall project limits regardless of whether small exterior segments are left unimproved. The board of commissioners of public lands shall determine if an assessment is just and legal. If the assessment of a project is less than \$50,000, the board shall order the assessment paid under s. 20.865 (3) (b), (h) or (r). If the assessment of a project is \$50,000 or more and if, the building commission approves the assessment under s. 66.60 (4), the board shall order the assessment paid under s. 20.865 (3) (b), (h) or (r). In ordering the payment of an assessment under this subsection, the board shall apportion the total cost of the assessment proportionally against each revenue source which supports the general operating costs of the agency or program against which the assessment is made. The apportionment of the total cost of the assessment to each revenue source shall be as determined by the department of administration.

(b) The board of commissioners of public lands shall transmit a certified copy of any order to pay an assessment to the department of administration, and upon its audit and warrant drawn upon the state treasurer the amount of the assessment shall be paid proportionally out of the appropriation appropriations under s. 20.865 (3) (b), ~~and when paid shall be charged to the general, conservation or transportation funds as equitably as possible in the judgment of the board when considering the agencies or departments occupying or having jurisdiction over the state property involved (h) and (r) as determined by the department of administration.~~

SECTION 1162e. 66.882 (2) (a) of the statutes is renumbered 66.882 (2) (a) (intro.) and amended to read:

66.882 (2) (a) (intro.) Except as provided in s. 66.884 (7), the mayor of the 1st class city shall appoint 7 individuals as members of the commission, each of whom shall have his or her principal residence in the 1st class city. Three of the commissioners appointed under this paragraph shall be elected officials. Each commissioner appointed under this paragraph may take his or her seat immediately upon appointment, pending confirmation or rejection by a majority of the members-elect of the common council. An appointee whose confirmation is pending may act within the scope of authority of a commissioner until the mayor withdraws the appointment or the common council rejects the appointment, whichever is earlier. The mayor shall withdraw any appointment that the common council rejects and may only resubmit the appointment for confirmation after at least one subsequent appointment is rejected. For the purposes of this paragraph, "elected official" means:

SECTION 1162f. 66.882 (2) (a) 1 to 6 of the statutes are created to read:

- 66.882 (2) (a) 1. The mayor of the 1st class city.
2. Members of the common council of the 1st class city.
3. Members of the county board of supervisors of the county in which the 1st class city is located who reside in the city.
4. State legislators who reside in the 1st class city.
5. The city attorney, comptroller or treasurer of the 1st class city.
6. Members of the board of school directors in charge of the public schools of the 1st class city.

SECTION 1162g. 66.886 (2) (a) 1 of the statutes is amended to read:

66.886 (2) (a) 1. No resolution adopted by the commission under s. 66.91 (1), (3) (c) or (6), 67.05 (3) or 67.12 (12), no schedule of charges under s. 66.076, 66.898 (4) or 66.91 (5) (b) 3, and no decision to borrow against taxes under s. 67.12 (6) is valid unless adopted by an affirmative vote of at least a two-thirds majority of all commissioners.

SECTION 1162L. 66.898 (4) (a) of the statutes is amended to read:

66.898 (4) (a) As part of any contract executed under this section, the commission may assess reasonable and just sewerage service charges against the contracting party with respect to capital costs. These sewerage service charges are subject to review under s. 66.912. The schedule of ~~service charges may, but need not, be uniform with any other schedule of charges established by the commission~~ sewerage service charges with respect to capital costs used in contracts executed under this section shall be equitable and uniform with the system used to recover capital costs within the district. **Vetoed in Part**

SECTION 1162p. 66.898 (4) (b) of the statutes is amended to read:

66.898 (4) (b) ~~The~~ Except as provided in par. (c), the charges assessed under par. (a) this subsection shall be established in accordance with s. 66.076 or 66.91 (5). In computing the schedule of charges under this ~~paragraph subsection~~, the commission may consider the factors specified in s. 66.076 (5) or 66.91 (5) ~~or any other reasonable factor which recognizes that the commission is not authorized to recover capital costs from any contracting party by levying property taxes against property located within the territorial limits of the contracting party.~~ In computing the schedule of charges under this ~~paragraph subsection~~, the commission may also consider the fact that sewerage service may not be available to or may be available to but not utilized by a part of the property located within the territorial limits of a contracting party at the time of computing the schedule.

SECTION 1162t. 66.898 (4) (c) of the statutes is created to read:

66.898 (4) (c) If the commission adopts a system with respect to capital costs within the district on the basis of the value of the property in the area to be served, as equalized under s. 70.57, the commission shall adopt a system of sewerage service charges with respect to capital costs used in contracts executed under this section that shall equal the amount the commission would be able to levy as taxes upon the area to be served by the contract, if the area was within the district boundary.

SECTION 1162u. 66.91 (5) (a) of the statutes is amended to read:

66.91 (5) (a) The commission may establish, assess and collect service charges under s. 66.076 or under this subsection. Charges made by the district under this subsection are reviewable as provided in s. 66.912 (5). The sewerage service charges established under s. 66.076 or under this subsection with respect to capital costs for areas within the district shall be equitable and uniform with the schedule of sewerage service charges with respect to capital costs used in contracts executed under s. 66.898 (4). **Vetoed in Part**

SECTION 1162v. 67.035 of the statutes is amended to read:

**67.035 Tax limitations not applicable to debt levies.** All taxes levied or to be levied by any municipality proceeding under this chapter for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding shall be and the same are hereby declared to be without limitation notwithstanding ~~the limitations imposed by s. 38.29, 60.175, 61.46 (3), 62.12 (4m), 65.07 (2), 70.62 (4) or subch. VII of ch. 121, or any legislative limitation now or heretofore existing, and all such limitations are hereby repealed insofar as they apply to taxes levied or to be levied to pay principal and interest upon such bonds or notes.~~

SECTION 1162x. 67.04 (6r) of the statutes is created to read:

67.04 (6r) By any county, city, village, town, vocational, technical and adult education district or school district to provide funds for participation in a contract under s. 66.504.

SECTION 1162y. 67.08 (1) of the statutes is amended to read:

67.08 (1) Municipal bonds shall be executed in the name of and for the municipality issuing them by their qualified officers who shall, for that purpose, sign the same in their official capacities, as follows: For a county, the chairman of the county board and the county clerk; for a city, the mayor or the city manager and the city clerk; for a village, the president and the village clerk; for a town, the chairman and the town clerk; for a vocational, technical and adult education district, the chairperson and secretary; for a metropolitan sewerage district established under ss. 66.88 to 66.918, the chairperson and secretary; for any other municipality, the president and clerk or secretary of the governing body. The facsimile signature of any of the officers executing a municipal bond may be imprinted on the bond in lieu of the manual signature of the officer, but at least one of the signatures appearing on each bond shall be a manual signature. Bonds issued under this chapter bearing the signatures of officers in office on the date of the execution of the bonds are valid and binding obligations, notwithstanding that before the delivery of the bonds any or all of the persons whose signatures appear on the bonds have ceased to be officers of the municipality issuing them. Each bond issued by a municipality having an official or corporate seal shall be sealed with such seal or a printed facsimile of such seal. This subsection shall apply to mortgage revenue bonds under s. 66.066.

SECTION 1163. 67.12 (8m) of the statutes is amended to read:

67.12 (8m) TEMPORARY BORROWING BY VOCATIONAL, TECHNICAL AND ADULT EDUCATION DISTRICT. The district board of any vocational, technical and adult education district ~~may on its own motion, made and properly recorded at a lawful board meeting, borrow money in such sums as are needed to meet the immediate expenses of operating and maintaining the schools of the district during the current fiscal year. No such loan may be made to extend beyond the current November 1 of the following fiscal year nor to an amount exceeding.~~ The total amount borrowed may not exceed one-half the estimated receipts for the operation and maintenance of the schools for the current fiscal year in which the loan is made borrowing occurs, as certified by the district treasurer. All such loans shall be evidenced by promissory notes which may be signed by the district board chairman, vice chairman, secretary or treasurer shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. Whenever a vocational, technical and adult education district becomes entitled to state aids, tuition revenues or taxes levied, the district may pledge or assign all or portions of these revenues due but not yet paid as security for the repayment of promissory notes issued under this subsection. Any indebtedness secured by such assignment shall be construed as a paid or satisfied debt in reporting or computing the outstanding debt of the district.

SECTION 1163m. 67.13 (1) of the statutes is amended to read:

67.13 (1) Any county, if its board shall so determine, may raise money for the improvement of any portions of the system of county aid highways or of the state trunk highway system, including, without limitation because of designation, separate bridge projects eligible to construction under s. 84.11 or 84.12, by issuing nontaxable semiannual interest payment coupon bonds bearing interest at a rate not exceeding ~~5 per cent~~ 12% per year running not more than 20 years, and not exceeding, with all other county indebtedness, the constitutional limit, the money raised thereby, together with other construction funds available therefor, to be expended on certain specified improvements which, together with the estimated cost thereof, shall be specified in an initial resolution adopted by the county board authorizing the issue of such bonds. Such initial resolution shall also specify the total amount of bonds authorized to be issued, the maximum interest rate which such bonds may bear, the maximum period over which the maturity of such bonds may run, and the maximum amount of the principal sum of such bonds which may fall due in any year; and such resolution shall provide for a direct annual irrepealable tax sufficient to pay the interest and principal as it falls due.

SECTION 1164. 69.22 (1) (intro.) of the statutes is amended to read:

69.22 (1) (intro.) When no registration of any birth has been made within one year after the occurrence thereof, the state registrar ~~or the register of deeds of any county~~ may accept proof thereof for the purpose of filing a birth certificate, and issue certificates of births based on such proofs. Such proof shall consist of the following:

SECTION 1165. 69.22 (2) of the statutes is repealed.

SECTION 1166. 69.22 (3) of the statutes is amended to read:

69.22 (3) ~~If a~~ A delayed birth record is may be filed with the state registrar, who shall forward a copy ~~shall be forwarded~~ to the register of deeds of the county in which the birth occurred.

SECTION 1167. 69.24 (1) (a) of the statutes is amended to read:

69.24 (1) (a) A fee of \$4 ~~\$5~~ for the search of the files. If a record is located, no additional fee is required for issuance of the first certified copy, except as provided under par. (am). ~~The department may set additional fees, not to exceed \$2~~ An additional \$2 fee shall be collected for each additional copy after the first copy.

SECTION 1167m. 69.24 (1) (am) of the statutes is created to read:

69.24 (1) (am) In addition to the \$5 fee collected for a certified copy of a birth certificate under par. (a), a fee of \$2 which shall be transmitted to the state treasury and credited to the appropriation under s. 20.433 (1) (g) [or (h)].

Partial  
Veto  
Overruled

SECTION 1168. 69.24 (1) (b) of the statutes is amended to read:

69.24 (1) (b) After one year from the date of the original entry, a fee of \$2 ~~\$10~~ for making authorized corrections, alterations and additions.

SECTION 1169. 69.24 (1) (d) of the statutes is amended to read:

69.24 (1) (d) A fee of \$4 ~~\$5~~ for a short form certificate.

SECTION 1170. 69.24 (1) (e) of the statutes is amended to read:

69.24 (1) (e) The state registrar shall collect a filing fee of \$4 ~~\$20~~ for new certificates filed in accordance with ss. 69.33 and 69.336.

SECTION 1171. 69.24 (2) (a) of the statutes is amended to read:

69.24 (2) (a) The state registrar shall collect a fee of \$4 ~~\$20~~ for the examination of documentary proof and the filing of a delayed record and in addition ~~thereto~~ a fee of \$4 ~~\$5~~ for the issuance of a certified copy of a delayed record.

SECTION 1172. 69.24 (2) (b) of the statutes is repealed and recreated to read:

69.24 (2) (b) The register of deeds and the state registrar shall evenly divide the fee specified in par. (a) if the register of deeds prepares the application for delayed registration or for amendment of a birth record.

SECTION 1173. 69.335 of the statutes is amended to read:

**69.335 Correction of birth records.** A person born in this state may request the state registrar ~~or the register of deeds of the county of birth or in cities the health officer of the city of birth~~, to correct the registrant's birth record. Minor corrections in the record of the registrant's given name, may be made upon filing a supplementary report signed by the registrant or the registrant's parent, guardian, sister or brother. Major corrections of the record as to surname, sex, date and place of birth may be made only by the state registrar, ~~the register of deeds or city health officer~~ only upon filing an affidavit by the registrant or the registrant's parent, guardian, sister or brother setting forth the corrections to be made and the reasons therefor. All corrections shall be made in red ink on the original record without erasures. On the margin of the record the officer shall make, date and sign the following notation: The corrections entered in red ink on the adjoining birth record were made this .... day of .... 19 .... by me and are based on (a supplementary report or an affidavit).

Signed ....  
(State Registrar),  
(City Health Officer)  
or (Register of Deeds.)

Supporting documentation to confirm correct spelling of surname, or date or place of birth, shall be required. The state registrar, ~~city health officer or the register of deeds to whom such requests are made~~ shall promptly notify ~~each other~~ the city health officer in the city of birth, if applicable, and the register of deeds in the county of birth of the corrections to be made and each, who shall make the same corrections or notations to the record in red ink.

SECTION 1174. 70.05 (5) (d) of the statutes is amended to read:

70.05 (5) (d) Beginning in 1986, if the department of revenue determines that ~~for the current year~~ the assessed value of the taxation district, including 1st class cities, has not been established within 10% of the full value at least once during the 4-year period consisting of the current year and the 3 preceding years, the department shall ~~order special supervision for the subsequent year's assessment under s. 70.75 (3)~~ notify the clerk of the taxation district of its intention to proceed under par. (e) if the taxation district's assessed value for the subsequent year is not within 10% of the full value. The department's ~~order notice~~ shall be in writing and mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

SECTION 1175. 70.05 (5) (e) of the statutes is created to read:

70.05 (5) (e) If the department of revenue determines that a taxation district's assessed value for the year specified in a notice under par. (d) is not within 10% of the full value, it shall order special supervision under s. 70.75 (3) for the succeeding year's assessment. The department's order shall be in writing and mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

SECTION 1176. 70.055 (4) of the statutes is amended to read:

70.055 (4) DUTIES. When appointed ~~such~~, expert help, together with the assessor, shall act together as an assessment board in exercising the powers and duties of the assessor during ~~such~~ this employment, and the concurrence of a majority of ~~such~~ the board is necessary to determine any matter upon which they are required to act. ~~When a single expert is employed or a sole person is designated by a corporation employed as expert help the governing body may designate an employe of the department of revenue to serve as a member of such board.~~ All persons appointed or designated as emergency help shall file the official oath under s. 19.01.

SECTION 1177. 70.11 (21) (c) of the statutes is amended to read:

70.11 (21) (c) A prerequisite to exemption under this subsection is the filing of ~~an annual a~~ statement not later than February 1 on forms prescribed by the department of revenue with the department of revenue. This statement shall be filed not later than February 1 of the year in which a new exemption is requested or in which a waste treatment facility that has been granted an exemption is retired, replaced, disposed of, moved to a new location or sold.

SECTION 1178. 70.11 (21) (e) of the statutes is amended to read:

70.11 (21) (e) On or before March 1 of each year the department of revenue shall notify the local assessor of each taxation district wherein such property is located as to the taxability or nontaxability of such nonmanufacturing property.

SECTION 1179. 70.111 (5) of the statutes is amended to read:

70.111 (5) FAMILY SUPPLIES. Provisions and fuel ~~sufficient~~ to sustain the owner's family ~~6 months~~; but no person paying board shall be deemed a member of a family.

SECTION 1179f. 70.111 (15) of the statutes is renumbered 70.11 (15) and amended to read:

70.11 (15) (title) MANURE STORAGE FACILITIES. Any liquid manure storage tank facility used by a farmer. This exemption shall apply whether such equipment the facility is deemed personal property or is so affixed to the realty as to be classified as real estate.

SECTION 1179m. 70.111 (18) of the statutes is amended to read:

70.111 (18) SOLAR AND WIND ENERGY SYSTEMS. Solar energy systems and wind energy systems which, as of the January 1 assessment date, are certified by the department of industry, labor and human relations as meeting the standards under s. 101.57 (5). In this subsection, "solar energy system" has the meaning given under s. 101.57 (8) (b) means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy, but does not include equipment or components that would be present as part of a conventional energy system or a system that operates without mechanical means. In this subsection, "wind energy system" has the meaning given under s. 101.57 (8) (d) means equipment which converts and then transfers or stores energy from the wind into usable forms of energy, but does not include equipment or components that would be present as part of a conventional energy system. The exemption under this subsection is effective until December 31, 1995.

~~SECTION 1179n. 70.111 (20) of the statutes is created to read:~~

~~70.111 (20) RENTED PERSONAL PROPERTY. All personal property held for rental for nonconsecutive periods of one month or less to multiple users for their temporary and occasional use, if the property is not rented with an operator and if this type of short-term rental is the major source of income for the business that rents the property.~~

**Vetoed  
in Part**

SECTION 1179r. 70.112 (4) of the statutes is amended to read:

70.112 (4) SPECIAL PROPERTY AND GROSS RECEIPTS TAXES OR LICENSE FEES. All special property assessed under ss. 76.01 to 76.26 and property of any light, heat and power company taxed under s. 76.28, telephone company, car line company, and electric cooperative association that is used and useful in the operation of the business of such company or association. If a general structure for which an exemption is sought under this section is used and useful in part in the operation of any public utility assessed under ss. 76.01 to 76.26 or of the business of any light, heat and power company taxed under s. 76.28, telephone company, car line company or electric cooperative association and in part for nonoperating purposes of the public utility or company or association, that general structure shall be assessed for taxation under this chapter at the percentage of its full market value that fairly measures and represents the extent of its use for nonoperating purposes. Nothing provided in this subsection shall exclude any real estate or any property which is separately accounted for under s. 196.59 from special assessments for local improvements under s. 66.64.

SECTION 1180. 70.114 of the statutes is repealed.

SECTION 1181. 70.116 of the statutes is repealed.

SECTION 1182. 70.117 of the statutes is repealed.

SECTION 1183. 70.175 of the statutes is repealed.

SECTION 1184. 70.337 (1) (a) of the statutes is amended to read:

70.337 (1) (a) On or before January 1, 1983, and each 5th year thereafter, each person who, under any statute, claims a real property tax exemption, except an exemption for highway rights-of-way or property acquired and held by the state for purposes under s. 85.09, or makes a payment in lieu of taxes shall file with the assessor of the taxation district in which the property is located a report in duplicate, on forms prescribed and furnished by the department of revenue. The report shall contain the name and address of the owner of the property, the location or street address of the property and the legal description and parcel number as shown on the assessment roll, the nature of the person

owning the property, the uses made of the property, the date of acquisition of the property, a description of any structures on the land comprising the property, the extent, if any, to which the property or any part was rented out.

SECTION 1184b. 70.375 (1) (a) of the statutes is renumbered 70.375 (1) (ae).

SECTION 1184c. 70.375 (1) (ab) of the statutes is created to read:

70.375 (1) (ab) "Controlled entity" means a person at least 50% of the voting stock of which is owned directly or indirectly by another person who is engaged in mining metalliferous minerals.

SECTION 1184d. 70.375 (1) (ad) of the statutes is created to read:

70.375 (1) (ad) "Controlling entity" is a person who owns directly or indirectly at least 50% of the voting stock of another person who is engaged in mining metalliferous minerals.

SECTION 1184e. 70.375 (1) (ai) of the statutes is amended to read:

70.375 (1) (ai) "Gross income from mining" means that amount of income which is attributable to the processes of extraction of ores or minerals from the ground and the application of mining processes, including mining transportation and as further defined in 26 CFR section ~~1.613-3~~ 1.613-4. In this paragraph "income" means the actual amount for which ore or mineral, less trade and cash discounts actually allowed, is sold if the taxpayer sells the ore or mineral after the application of mining processes. If ore or minerals are sold after the application of nonmining processes, gross income from mining shall be computed as provided in 26 CFR section ~~1.613-3~~ 1.613-4.

SECTION 1184f. 70.375 (2) of the statutes is amended to read:

70.375 (2) TAX IMPOSED. (a) There In respect to mines not in operation on November 28, 1981, there is imposed upon persons engaged in mining metalliferous minerals in this state a net proceeds occupation tax effective on the date on which extraction begins to compensate the state and municipalities for the loss of valuable, irreplaceable metalliferous minerals. The amount of the tax shall be determined by applying the rates established under sub. (5) to the net proceeds of each mine. The net proceeds of each mine for each year are the difference between the gross proceeds and the deductions allowed under sub. (4) for the year.

(b) The secretary may promulgate any rules necessary to implement the tax under ss. 70.37 to 70.39 and 70.395 (1). Section In respect to mines not in operation on November 28, 1981, s. 71.11 (4), (7m), (8), (20) to (22) and, (42) to (49), (44), (46), (47), (49) and (50) applies to the administration of this section.

SECTION 1184g. 70.375 (2m) of the statutes is created to read:

70.375 (2m) TAX IMPOSED. (a) There is imposed upon persons engaged in mining metalliferous minerals in this state in respect to mines in operation on November 28, 1981, a net proceeds occupation tax effective on the date on which extraction begins to January 1, 1991, to compensate the state and municipalities for the loss of valuable, irreplaceable metalliferous minerals. The amount of the tax shall be determined by applying the rates established under sub. (5) to the average of the net proceeds of the person for the preceding 3-year period. The net proceeds of a person for each year shall be the difference between the gross proceeds, computed under sub. (3) for the year, and the deductions allowed under sub. (4) for the year.

(b) In respect to mines in operation on November 28, 1981, s. 71.11 (4), (7m), (8) and (20) to (22) applies to the administration of this section to January 1, 1991.

SECTION 1184h. 70.375 (3) (intro.) of the statutes is amended to read:

70.375 (3) ALTERNATE COMPUTATION OF GROSS PROCEEDS. (intro.) If products are sold or transferred to a person operating a smelting, refining or other processing or marketing facility which is located outside of the United States or which is owned by, or is directly

~~or indirectly controlled by, the taxpayer or which owns or directly or indirectly controls the taxpayer to a controlled entity or controlling entity of the seller or transferor and if the secretary determines that the gross proceeds under sub. (1) (am) do not reflect or demonstrate the gross proceeds that would have been received from an unrelated purchaser for the product under similar circumstances, the gross proceeds shall be computed under this subsection. For the purpose of this subsection "control" means direct or indirect ownership of at least 50% of the total combined voting stock of the corporation. The gross proceeds shall be computed by multiplying that part of the production of recovered metalliferous minerals which were sold or transferred during the taxable year by the average price of that mineral for the taxable year and then subtracting the cost of postmining processes, including the cost of capital (interest and earnings) imputed to that production. The average price shall be computed from the monthly prices published in the engineering and mining journal as follows:~~

SECTION 1184i. 70.375 (4) (e) of the statutes is amended to read:

70.375 (4) (e) ~~Federal~~ Except as provided in par. (em), federal and state income taxes paid, property taxes, sales taxes and use taxes paid and other taxes paid and allowed as a deduction under s. 71.04 (3) which are allocable to the mine, excluding the tax under this section.

SECTION 1184j. 70.375 (4) (em) of the statutes is created to read:

70.375 (4) (em) In the case of a mine owned by a corporation that owns other business operations or is part of an affiliated group of corporations eligible to file consolidated federal income tax returns, the determination of deductible state and federal income taxes shall be made by calculating the taxable income from the mine as though the mine were a separate entity and applying the federal and state income tax laws to this income as though the mine were filing a separate income tax return. To calculate taxable income, federal taxable income as it applies to the depletion deduction under section 613 of the internal revenue code shall be adjusted to reflect the difference between Wisconsin and federal income tax law.

SECTION 1184k. 70.375 (4) (k) (intro.) of the statutes is amended to read:

70.375 (4) (k) (intro.) Depreciation or amortization on property used in connection with mining. With respect to property first eligible for depreciation or amortization before January 1, 1981, the deduction shall be limited to the deduction under s. 70.375 (4) (k), 1979 stats. With respect to property first eligible for depreciation or amortization on or after January 1, 1981, the deduction shall be limited to the amount allowable under s. 71.04 (15). The following assets may be depreciated or amortized:

SECTION 1184L. 70.375 (4) (L) of the statutes is amended to read:

70.375 (4) (L) Royalties paid to owners of the mineral rights to the lands where the mine or an extension of the mine is located. In this paragraph, "owners" does not include the person mining or a person in which controlled entity or controlling entity of the person mining has an ownership or equity interest.

SECTION 1184m. 70.375 (6) of the statutes is amended to read:

70.375 (6) INDEXING. For calendar year 1983 and corresponding fiscal years and thereafter, the dollar amounts in sub. (5) and s. 70.395 (1) ~~to (2) (i)~~, (1m) and (2) (d) 1m and 5 shall be changed to reflect the percentage change between the gross national product deflator for June of the current year and the gross national product deflator for June of the previous year, as determined by the U.S. department of commerce as of December 30 of the year for which the taxes are due, except that no annual increase may be more than 10%. The revised amounts shall be rounded to the nearest whole number divisible by 100 and shall not be reduced below the amounts under sub. (5) on November 28, 1981. Annually, the department shall adopt any changes in dollar amounts required under this subsection and incorporate them into the appropriate tax forms.

SECTION 1184n. 70.38 (title) of the statutes is amended to read:

**70.38 (title) Reports, appeals, estimated liability.**

SECTION 1184o. 70.38 (1) of the statutes is amended to read:

70.38 (1) REPORTS. On or before ~~April 10~~ June 15, persons mining metalliferous minerals shall file with the department a ~~report which sets forth the data required by the department~~ true and accurate report in the form the department deems necessary to administer the tax under s. 70.375. The books and records of the person shall be open to inspection and examination to employes of the department designated by the secretary and to the state geologist.

SECTION 1184p. 70.38 (1m) of the statutes is created to read:

70.38 (1m) ESTIMATED LIABILITY. Upon written request and for sufficient reason shown, the department shall allow a person subject to the tax under s. 70.375 to file, on or before June 15, a net proceeds tax return and to pay that tax based upon estimated tax liability. On or before September 15, that person shall file a final report and pay any additional tax due along with interest at the rate of 1% per month from June 15 until the date of payment. If the additional tax exceeds 10% of the person's tax under s. 70.375 for the previous year, the penalty and interest under s. 70.39 (1) apply. If the final report indicates that the person overpaid the person's liability, the department shall refund the overpayment.

SECTION 1184q. 70.38 (3) of the statutes is repealed.

SECTION 1184r. 70.385 (1) of the statutes is renumbered 70.385 and amended to read:

**70.385 Collection of the tax.** All taxes as evidenced by the ~~notice of tax liability dated May 25 shall be~~ report under s. 70.38 (1) are due and payable to the department on or before June ~~30~~ 15, and shall be deposited by the department with the state treasurer.

SECTION 1184s. 70.385 (2) of the statutes is repealed.

SECTION 1184t. 70.39 (1) of the statutes is amended to read:

70.39 (1) Taxes due and unpaid on June ~~30~~ 15 shall be deemed delinquent as of that date, and when delinquent shall be subject to a penalty of 4% of the tax and interest at the rate of 1.5% per month until paid. The parent shall be liable for any delinquent taxes of a subsidiary person. The department shall immediately proceed to collect the tax due, penalty, interest and costs. For the purpose of collection the department or its duly authorized agent has the same powers as conferred by law upon the county treasurer, county clerk, sheriff and district attorney.

SECTION 1184u. 70.395 (1) (a) 1 and 3 and (b) of the statutes are amended to read:

70.395 (1) (a) 1. To the investment and local impact fund, an amount equal to the first-dollar payment or 60% of the taxes collected under ss. 70.38 to 70.39 in respect to mines not in operation on November 28, 1981, whichever is greater.

3. If the tax collected under ss. 70.38 to 70.39 in any year is less than the first-dollar payment as defined in subd. 2, "first-dollar payment" for that year means the amount of taxes collected under ss. 70.38 to 70.39 in respect to mines not in operation on November 28, 1981.

(b) After the transfers under par. (a), the undistributed portion of the amount of taxes collected under ss. 70.38 to 70.39 in respect to mines not in operation on November 28, 1981, shall be deposited to the badger fund under s. 25.28.

SECTION 1184v. 70.395 (1g) of the statutes is created to read:

70.395 (1g) DISTRIBUTION. Fifteen days after the collection of the tax under ss. 70.38 to 70.39, the department of administration, upon certification of the department of revenue, shall transfer the amount collected to January 1, 1991, in respect to mines in operation on November 28, 1981, as follows:

- (a) Forty percent to the general fund.
- (b) Sixty percent to the investment and local impact fund.

SECTION 1185g. 70.395 (2) (dg) of the statutes is amended to read:

70.395 (2) (dg) Each person constructing a metalliferous mining site shall annually pay to the department of revenue for deposit in the investment and local impact fund, as a construction fee, an amount sufficient to make the construction period payments under par. (d) 5 in respect to that site. Any person paying a construction fee under this paragraph may credit against taxes due under s. 70.375 an amount equal to the payments that the taxpayer has made under this paragraph, provided that the credit does not reduce the taxpayer's liability under s. 70.375 below the amount needed to make the first-dollar payments as defined under ~~par. (d) (intro.)~~ sub. (1) (a) 2 for that year in respect to the taxpayer's mine. Any amount not creditable because of that limitation in any year may be carried forward.

SECTION 1185m. 70.395 (4) of the statutes is repealed.

SECTION 1185r. 70.395 (5) of the statutes is repealed.

SECTION 1186m. 70.511 (2) (b) of the statutes is amended to read:

70.511 (2) (b) If the reviewing authority reduces the value of the property in question, the taxpayer may file a claim for refund of taxes resulting from the reduction in value. The claim for refund shall be filed with the clerk of the municipality on or before November 1. The claim plus interest on it at the rate of 0.8% per month shall be payable to the taxpayer from the municipality no later than January of the succeeding year. If the taxpayer requests a postponement of proceedings before the reviewing authority, interest on the claim shall permanently stop accruing at the date of the request. If the hearing is postponed at the request of the taxpayer, the reviewing authority shall hold a hearing on the claim within 30 days after the postponement is requested unless the taxpayer agrees to a longer delay. If the reviewing authority postpones the hearing without a request by the taxpayer, interest on the claim shall continue to accrue. In the case of manufacturing ~~property assessed~~ assessments made on or before December 31, 1982, by the department of revenue under s. 70.995, the state shall pay the interest on the refund from the appropriation under s. 20.855 (4) (a), except that no interest may be paid if the reviewing authority determines under s. 70.995 (8) (a) that the value of the property was reduced because the taxpayer supplied false or incomplete information. If the assessment reduction involves a manufacturing property assessed under s. 70.995 or affects the municipality's equalized values, the clerk of the municipality may charge each taxing district for which taxes were collected from the taxpayer that district's proportionate share of the claim for refund. For purposes of this paragraph, the department of revenue shall have the sole discretion to determine the effect of the assessment reduction on the municipality's equalized values. Each taxing district so charged shall pay the municipality no later than January 31 of the year succeeding the taxing district's next property tax levy.

SECTION 1187. 70.58 of the statutes is amended to read:

**70.58 Forestation state tax.** There is levied an annual tax of two-tenths of one mill for each dollar of the assessed valuation of the property of the state as determined by the department of revenue under s. 70.57, for the purpose of acquiring, preserving and developing the forests of the state and for the purpose of forest crop law and county forest law administration and aid payments, ~~including the aerial photographic survey under s. 16.965,~~ and for the acquisition, purchase and development of forests described under s. 25.29 (6) (a) and (b), the proceeds of the tax to be paid into the conservation fund. The

tax shall not be levied in any year in which general funds are appropriated for the purposes specified in this section, equal to or in excess of the amount which the tax would produce.

SECTION 1188. 70.62 (4) of the statutes is repealed.

SECTION 1188g. 70.665 of the statutes is renumbered 70.665 (intro.) and amended to read:

**70.665 Tax statement.** (intro.) The real and personal property tax bills prepared by the clerks of each taxation district, ~~after July 1, 1962, shall show the~~ shall:

(1) Show the amount of the tax that would be levied if there were no distribution of the Wisconsin tax credit under s. 79.10. ~~The real and personal property tax bills prepared by the clerks of the taxation districts after January 1, 1981, shall show the~~

(2) Show the assessed value of the property as it appears on the tax roll and the estimated fair market value of the property. The clerks shall also include with the tax bill an explanation as prescribed by the department of revenue of the procedure used to establish the estimated fair market value. For the purpose of this ~~section~~ subsection, the "estimated fair market value" of taxable property is the quotient of the assessed value of the property divided by the assessment ratio of all taxable property in the taxation district for the same year as determined by the department of revenue.

SECTION 1188r. 70.665 (3) of the statutes is created to read:

70.665 (3) Include a notice provided by the department of revenue that the taxpayer may be eligible for the homestead credit.

SECTION 1189. 70.75 (1) (a) of the statutes is amended to read:

70.75 (1) (a) ~~If it satisfactorily appears to the department of revenue upon written complaint made by the owners, or their legal representatives,~~ 1. The owners of taxable property in any taxation district, other than an assessment district within the corporate limits of any 1st class city of the 1st class, the, whose property has an aggregate assessed valuation of which is not less than 5% of the assessed valuation of all of the property in such district, the district according to the assessment sought to be corrected and upon full investigation, may submit to the department of revenue a written petition concerning the assessed valuation of their property. Subject to subd. 2, if the department finds that the assessment of property in the taxation district is not in substantial compliance with the law and that the interest of the public will be promoted by a reassessment thereof, the department may order a reassessment of all or of any part of the taxable property in the district to be made by one or more persons to be appointed for that purpose by the department.

3. If the department performs the reassessment or special supervision under sub. (3), the department shall designate the person responsible for the reassessment. If the department appoints a corporation for the ordered reassessment or special supervision under sub. (3), the corporation shall designate the person responsible for the reassessment. The corporate or departmental designee shall file the official oath under s. 19.01. The filing

4. If a petition under subd. 1 is filed in the office of the department of the application for such reassessment, signed by the required number of taxpayers or their legal representatives, shall impose upon the department the duty the department shall, under the powers conferred by s. 73.03 (1), to review the assessment complained of and if, in its judgment upon full investigation, it finds such. If the department finds the assessment is not in substantial compliance with law and that public interest will be promoted by a reassessment, to it shall correct such assessment by a reassessment as provided in this section and such duty. The department's duty to reassess is not impaired or set aside by any action, subsequent to such filing, of any one or more taxpayers taxpayer represented in the application.

5. As a part of its investigation of the assessment complained of, the department shall hold a hearing at some convenient place within or near the taxation district which is sought to be reassessed. At such hearing testimony may be offered as to the inequality or equality of the assessment, whether or not the public interest will be promoted by a reassessment and as to such other matters as may be desired by the department. Notice of the hearing specifying the time and place of the hearing shall be mailed to the clerk of the taxation district and the first signer of the application for reassessment, not less than 8 days before the time fixed for the hearing.

6. The department shall keep on file its order directing such reassessment and naming the persons appointed to make the reassessment shall be filed in the office of the department, and a duplicate of the order shall be filed with. In addition, the department shall transmit a copy of the order to the clerk of the taxation district. A copy of the order shall be transmitted, to the supervisor of assessments of the county in which the district is located and to each of the persons appointed to make such reassessment and to serve on the board for the review of the reassessment, ~~which shall be.~~ Service of a copy of the order is legal notice to such persons respectively, these people of their appointment. No person may be authorized by the department to make a reassessment or to provide special supervision instead of reassessment unless the person is willing and able to use the assessment manual.

SECTION 1190. 70.75 (1) (a) 2 of the statutes is created to read:

70.75 (1) (a) 2. The department may dismiss any petition for reassessment if, prior to the entry of a reassessment order under subd. 1, the taxation district involved determines under s. 70.055 that employing expert help to aid in assessing property would be in the public interest and if, after receiving departmental approval, the taxation district does employ expert help for either of the 2 years following the assessment year complained of.

SECTION 1191m. 70.85 (3) of the statutes is amended to read:

70.85 (3) A filing fee in the amount of ~~\$25~~ \$50 shall be required and submitted with any complaint filed with the department under this section. ~~All~~ If the department determines that no change in the property assessment is required, the costs related to the department's revaluation, ~~less the filing fee paid by the complainant~~ determination shall be paid by the department. If the department determines that a change in the property assessment is required, the costs related to the department's determination shall be paid by the assessment district. Past due accounts shall be certified by the department of revenue on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1192. 70.995 (12) (c) of the statutes is amended to read:

70.995 (12) (c) If ~~Unless the taxpayer shows that the failure is due to reasonable cause,~~ if a taxpayer fails to file any form required under par. (a) by the due date or by any extension of the due date that has been granted, the department of revenue shall enter against the taxpayer a penalty of ~~5% of the taxes due for the property to be assessed from the form the greater of \$10 or 0.05% of the previous year's full value assessment not to exceed \$1,000, if the property was assessed by the department during the previous year, or \$10, whichever is greater.~~ 5% of the taxes due for the property to be assessed from the form the greater of \$10 or 0.05% of the previous year's full value assessment not to exceed \$1,000, if the property was assessed by the department during the previous year, or \$10, whichever is greater. If the form required under par. (a) is not filed within 30 days after the due date or within 30 days after any extension, the department of revenue shall enter against the taxpayer a 2nd penalty ~~equal to 5% of the taxes due of the greater of \$10 or 0.05% of the previous year's full value assessment not to exceed \$1,000.~~ equal to 5% of the taxes due of the greater of \$10 or 0.05% of the previous year's full value assessment not to exceed \$1,000. The department shall not enter a penalty if the department did not assess the property during the previous year. The department may refund all or part of any penalty it assesses under this paragraph if it finds reasonable grounds for late filing.

SECTION 1192m. 70.995 (12) (d) of the statutes is amended to read:

70.995 (12) (d) The penalty assessed under par. (c) shall be added to the tax due upon the assessed value of the property for the year during which the report was due. The penalty shall be subject to review in the same manner as provided for review of the assessment of value of manufacturing property. Any penalty remaining unpaid after becoming due shall be a lien upon the property and be otherwise subject to collection by the municipality in the same manner as delinquent property taxes. Within 60 days after the receipt of that penalty payment, an amount equal to the penalty collected shall be forwarded to the department of revenue for deposit into the general fund. Past due accounts shall be certified by the department of revenue on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1193m. 71.01 (3) (a) of the statutes is renumbered 71.01 (3) (a) 1.

SECTION 1193n. 71.01 (3) (a) 2 and 3 of the statutes are created to read:

71.01 (3) (a) 2. The exemptions under this paragraph do not apply to an employer providing uninsured health care benefits to its employes unless the employer voluntarily includes in the health care contract or plan a provision that the employer shall be bound by those portions of s. 632.897 which apply to group insurance policies. In this subdivision, "employer" does not include a corporation or an association organized under the laws of another state and not having its principal office in this state, if fewer than the lesser of 150 or 25% of the employes receiving the health care benefits reside in this state.

3. The exemptions under this paragraph do not apply to any association or corporation that has the equivalent of 250 or more full-time employes and provides the employes with insured or uninsured health care coverage, unless it offers to all employes at least 2 health care coverage plans providing substantially equivalent medical and hospital benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if the department of health and social services determines that those organizations are available in the area of the place of employment.

SECTION 1193o. 71.01 (3) (c) of the statutes is renumbered 71.01 (3) (c) 1.

SECTION 1193p. 71.01 (3) (c) 2 and 3 of the statutes are created to read:

71.01 (3) (c) 2. The exemptions under this paragraph do not apply to an employer providing uninsured health care benefits to its employes unless the employer voluntarily includes in the health care contract or plan a provision that the employer shall be bound by those portions of s. 632.897 which apply to group insurance policies. In this subdivision, "employer" does not include a corporation or an association organized under the laws of another state and not having its principal office in this state, if fewer than the lesser of 150 or 25% of the employes receiving the health care benefits reside in this state.

3. The exemptions under this paragraph do not apply to any entity that has the equivalent of 250 or more full-time employes and provides the employes with insured or uninsured health care coverage, unless it offers to all employes at least 2 health care coverage plans providing substantially equivalent medical and hospital benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if the department of health and social services determines that those organizations are available in the area of the place of employment.

SECTION 1194. 71.01 (4) (g) 6 of the statutes is amended to read:

71.01 (4) (g) 6. For taxable year 1982 ~~and subsequent years~~, "internal revenue code" means the federal internal revenue code as amended to December 31, 1981, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases).

SECTION 1195. 71.01 (4) (g) 7 of the statutes is created to read:

71.01 (4) (g) 7. For taxable year 1983 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1982, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases), except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980, and except that "internal revenue code" includes changes to that code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1196. 71.013 of the statutes is amended to read:

**71.013 (title) Corporate surtax.** For taxable years 1982 ~~and 1983~~ to 1984, there is imposed and there shall be assessed, collected and paid, in addition to and in the same manner as all other income and franchise taxes imposed under this chapter, including those provisions relating to refunds and overpayments, a surtax to be paid by every corporation equal to 10% of the corporation's income or franchise tax payable to this state. In this section, "income or franchise tax payable" of corporations means the tax as computed at the rates under s. 71.09 (2h) and (2n) without reduction for any payments or credits, including the fuel and electricity credit under s. 71.043, farmland preservation credit and declaration of estimated tax payments. Any declarations of estimated tax payments that would have been due under s. 71.22 before July 1, 1982, solely because of this surtax shall be prorated equally among, and paid with, any payments that are due on or after July 1, 1982, for the 1982 taxable year. Any penalty for underpayment of declaration of estimated taxes computed under s. 71.22 shall be computed on the basis that the surtax for the 1982 taxable year was required to be included only with instalment payments due on or after July 1, 1982. The surtax is part of the tax for purposes of determining any underpayment or declaring estimated taxes under s. 71.22.

SECTION 1197. 71.014 of the statutes is created to read:

**71.014 Individual surtax.** For taxable years 1983 and 1984, there is imposed and there shall be assessed, collected and paid, in addition to and in the same manner as all other income taxes imposed under this chapter, including those provisions relating to refunds and overpayments, a surtax to be paid by every individual subject to tax under s. 71.01 (1) equal to 10% of that individual's income tax payable to this state. In this section, "income tax payable" means the tax computed at the rates and brackets under s. 71.09 (1b) as adjusted under s. 71.09 (2) plus any tax payable under s. 71.60. Any declarations of estimated tax payments that would have been due under s. 71.21 before July 1, 1983, solely because of this surtax shall be prorated equally among, and paid with, any payments that are due on or after July 1, 1983, for the 1983 taxable year. Any penalty for underpayment of declaration of estimated taxes computed under s. 71.21 shall be computed on the basis that the surtax for the 1983 taxable year was required to be included only with instalment payments due on or after July 1, 1983. The surtax is part of the tax for purposes of determining any underpayment or declaring estimated taxes under s. 71.21.

SECTION 1198. 71.02 (1) (a) 7 of the statutes is amended to read:

71.02 (1) (a) 7. For taxable year 1982 ~~and subsequent years~~, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1981, "net income" means the federal regulated investment company taxable income or federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1981, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases).

SECTION 1199. 71.02 (1) (a) 8 of the statutes is created to read:

71.02 (1) (a) 8. For taxable year 1983 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1982, "net income" means the federal regulated investment company taxable income or federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1982, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases), except that in respect to computing the deduction for depreciation on property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980, and except that "internal revenue code" includes changes to that code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq) apply as appropriate.

SECTION 1200. 71.02 (2) (b) 8 of the statutes is amended to read:

71.02 (2) (b) 8. For the taxable year 1982 ~~and thereafter~~, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1981, except that it includes section 214 of the internal revenue code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 with the modification that the applicable work requirements are those under section 44A of the internal revenue code as amended to December 31, 1981, section 218 of the internal revenue code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600, section 117 of the internal revenue code as it is affected by section 161 (b) of P.L. 95-600 and by section 285 of P.L. 97-248 (relating to national research service awards) and section 911 (c) of the internal revenue code (relating to the foreign earned income exclusion) as it existed on December 31, 1977; and it does not include the changes to the internal revenue code enacted by sections 111 and 113 (relating to U.S. citizens or residents working abroad), section 103 (relating to the deduction for 2-earner married couples) and section 251 (relating to incentive stock options) of P.L. 97-34. Amendments Except for section 117 of the internal revenue code as it is affected by section 161 (b) of P.L. 95-600 and by section 285 of P.L. 97-248 (relating to national research service awards), amendments to the internal revenue code enacted after December 31, 1981, do not apply to this subsection with respect to taxable year 1982 ~~and thereafter~~.

SECTION 1201. 71.02 (2) (b) 9 of the statutes is created to read:

71.02 (2) (b) 9. For the taxable year 1983 and thereafter, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1982, except that for taxable year 1983 it includes section 214 of the internal revenue code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 with the modification that the applicable work requirements are those under section 44A of the internal revenue code as amended to December 31, 1982, and except that for taxable year 1983 and thereafter it includes section 218 of the internal revenue code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600 and section 911 (c) of the internal revenue code (relating to the foreign earned income exclusion) as it existed on December 31, 1977, and it includes changes to the code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4; and it does not include the changes to the internal revenue code enacted by sections 111 and 113 (relating to U.S. citizens or residents working abroad) and section 251 (relating to incentive stock options) of P.L. 97-34. Except for changes enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4, amendments to the internal revenue code enacted after December 31, 1982, do not apply to this subsection with respect to taxable year 1983 and thereafter.

SECTION 1202. 71.02 (2) (gr) of the statutes is created to read:

71.02 (2) (gr) Beginning with calendar year 1986 and corresponding fiscal years and thereafter, the dollar amounts in par. (gq) 2 shall be changed to reflect the percentage change, minus 3%, between the U.S. consumer price index for all urban consumers, U.S. city average, for June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for June of the previous year, as determined by the U.S. department of labor, but in no case may the amounts be increased by more than 7% or decreased by any amount. The revised amounts shall be rounded to the nearest whole number which is a multiple of \$10.

SECTION 1202m. 71.03 (1) (k) of the statutes is amended to read:

71.03 (1) (k) And all other gains, profits or income of any kind derived from any source whatever except that the computation of income from payments in kind received from the federal department of agriculture and the time when that income is realized are determined under the internal revenue code and except such as hereinafter exempted.

SECTION 1203. 71.04 (2) (b) 5 of the statutes is created to read:

71.04 (2) (b) 5. Expenses or expenditures for research equal to the amount of the credits computed under s. 71.09 (12r) and (12rf).

SECTION 1204m. 71.04 (2) (b) 7 of the statutes is created to read:

71.04 (2) (b) 7. Amounts paid by any employer, which has the equivalent of 250 or more full-time employes and provides its employes with insured or uninsured health care coverage, for health care coverage costs for employes and their families, unless the employer offers to all employes at least 2 health care coverage plans providing substantially equivalent medical and hospital benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if the department of health and social services determines that those organizations are available in the area of the place of employment.

SECTION 1204n. 71.04 (2) (b) 8 of the statutes is created to read:

71.04 (2) (b) 8. Any amounts not allowed as a deduction for federal income tax purposes under section 162 (g) of the internal revenue code (relating to treble damages under the antitrust laws).

SECTION 1204o. 71.04 (2) (b) 9 of the statutes is created to read:

71.04 (2) (b) 9. Any amount otherwise deductible under this chapter that is directly or indirectly related to income wholly exempt from taxes imposed by this chapter or to nondeductible losses described in sub. (7m). In this subdivision, "wholly exempt income", for corporations subject to franchise or income taxes, includes amounts received from affiliated or subsidiary corporations for interest, dividends or capital gains that, because of the degree of common ownership, control or management between the payor and payee, are not subject to taxes under this chapter. In this subdivision, "wholly exempt income", for corporations subject to income taxation under this chapter, also includes interest on obligations of the United States. In this subdivision, "wholly exempt income" does not include income excludable, not recognized, exempt or deductible under specific provisions of this chapter. If any expense or amount otherwise deductible is indirectly related both to wholly exempt income or loss and to other income or loss, a reasonable proportion of the expense or amount shall be allocated to each type of income or loss, in light of all the facts and circumstances.

SECTION 1204r. 71.04 (2) (b) 10 of the statutes is created to read:

71.04 (2) (b) 10. Amounts paid by any employer which offers uninsured health care benefits to employes, for employe health care benefits, unless the employer voluntarily includes in the contract or plan setting forth the health care benefits a provision that the employer shall be bound by those portions of s. 632.897 which apply to group insurance

policies. In this subdivision, "employer" does not include a foreign corporation not having its principal office in this state, if fewer than the lesser of 150 or 25% of the employes receiving the health care benefits reside in this state.

SECTION 1205. 71.04 (3) of the statutes is amended to read:

71.04 (3) Taxes other than special improvement taxes paid during the year upon the business or property from which the income taxed is derived, including therein taxes imposed by this state as income taxes, and taxes on all real property which is owned and held for business purposes whether income producing or not. Income taxes imposed by this state shall accrue for the purpose of this subsection only in the year in which such taxes are assessed. Sales and use taxes paid during the taxable year which under s. 71.043 (2) and (3) may be used to reduce a corporation's income or franchise tax shall not be deductible from gross income. Income, excess profits, war profits and capital stock taxes imposed by the federal government are not deductible from gross income. For taxable year 1981 and thereafter, real property taxes that are related to a definite period of time may be accrued ratably over that period by accrual basis taxpayers, and the windfall profit tax under section 4986 of the internal revenue code is not deductible from gross income. For the taxable year 1981 and thereafter, taxes imposed by this or any other state or the District of Columbia on or measured by net income, gross income, gross receipts or capital stock are not deductible. However, gross receipts taxes assessed in lieu of property taxes, the license fee imposed under s. 76.28 and the tax imposed under s. 70.375 are deductible from gross income.

SECTION 1205m. 71.04 (4) (b) of the statutes is amended to read:

71.04 (4) (b) ~~Fifty percent~~ For taxable year 1984, 75% of the amount of cash dividends received during the year from a corporation with respect to its common stock if the corporation receiving the dividends owned directly or indirectly during the entire income year at least 80% of the total combined voting stock of the payor corporation. For taxable year 1985 and thereafter, the cash dividends received during the year from a corporation with respect to its common stock if the corporation receiving the dividends owned directly or indirectly during the entire income year at least 80% of the total combined voting stock of the payor corporation.

SECTION 1205n. 71.04 (7m) of the statutes is created to read:

71.04 (7m) No deduction shall be allowed for losses from the sale or other disposition of assets the gain from which would be wholly exempt as described in sub. (2) (b) 9 if the assets were sold or otherwise disposed of at a gain.

SECTION 1206. 71.04 (15) (b) of the statutes is amended to read:

71.04 (15) (b) In this subsection, "internal revenue code" means such code as applicable to the determination of net income of the calendar year 1972 for federal income tax purposes. In determining the Wisconsin tax on or measured by net income of any year subsequent to 1972 except for depreciable property acquired in taxable ~~years~~ year 1981 to 1983 and thereafter by the taxpayers listed under par. (bm) 1 and 2, in this subsection "internal revenue code" means such code as applicable to the determination of net income for such subsequent year for federal income tax purposes or as applicable to determination of net income of 1972 for federal income tax purposes, at the option of the corporation, except that for taxable year 1981 and thereafter "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases) and except that for property located outside this state and first placed in service by the taxpayer on or after January 1, 1983, "internal revenue code" means that code as amended to December 31, 1980, or the code as applicable to the determination of net income for 1972, at the option of the corporation. In this paragraph, "property" means only property owned by the taxpayer.

SECTION 1206m. 71.04 (15) (bm) (intro.) of the statutes is amended to read:

71.04 (15) (bm) (intro.) In this subsection, for depreciable property acquired in taxable years year 1981 to 1983 and thereafter "internal revenue code" means that code in effect on December 31, 1980, for the following corporations:

SECTION 1207. 71.04 (15) (c) of the statutes is amended to read:

71.04 (15) (c) Effective as of the first day of each corporation's 1972 taxable year and ending with December 31, 1982, the Wisconsin adjusted basis for all depreciable property subject to depreciation or amortization under the internal revenue code, except pollution abatement plants or equipment deducted, amortized or depreciated pursuant to sub. (2b), shall be identical to the adjusted basis of such property on such date for federal income tax purposes under such code. As of the end of each corporation's 1971 taxable year, the net difference between the Wisconsin and federal adjusted basis of all depreciable property subject to depreciation or amortization for federal income tax purposes, except pollution abatement plants and equipment covered by sub. (2b), shall be aggregated. If the Wisconsin adjusted basis of the aggregate of such property exceeds the federal adjusted basis of such aggregate, one-fifth of such difference may be deducted from gross income to arrive at net income (before apportionment, if any) for Wisconsin income and franchise tax purposes in respect of the income year 1972 and the next succeeding 4 income years. If the federal adjusted basis of the aggregate of such property exceeds the Wisconsin adjusted basis of such aggregate, the other allowable deductions from gross income to arrive at net income (before apportionment, if any) shall be reduced by one-fifth of such difference with respect to the income year 1972 and each of the next succeeding 4 income years, and such reduction shall be made regardless of any disposition made of the underlying depreciable property. If a corporation is dissolved, or merged into or consolidated with another corporation before the termination of the 5-year period, any remaining balance of the net difference between the Wisconsin and federal adjusted basis of such depreciable property as of the end of such corporation's 1971 taxable year shall be deducted from gross income or used to reduce otherwise allowable deductions from gross income, as the case may be, in the year of dissolution, merger or consolidation.

SECTION 1207m. 71.04 (15) (d) of the statutes is amended to read:

71.04 (15) (d) Adjustments for capital expenditures and changes in the amount of depreciation or amortization of depreciable property, other than pollution abatement plants or equipment deducted, amortized or depreciated pursuant to sub. (2b), determined for federal income tax purposes by federal audit or otherwise affecting the net difference between the Wisconsin and federal adjusted basis of depreciable property at the end of the 1971 income year shall be reflected for Wisconsin income and franchise tax purposes by appropriate adjustments in the 5 amortization years and such adjustments and changes allowable or required under this subsection affecting a corporation's net income of the 1972 taxable year or taxable years thereafter shall be reflected for Wisconsin income and franchise tax purposes in the year or years to which they relate. Additional assessments or refunds may be made consistent with such adjustments or changes and consistent with this subsection regardless of any limitations otherwise applicable to such year or years.

SECTION 1208. 71.04 (15) (e) of the statutes is amended to read:

71.04 (15) (e) With respect to depreciable property disposed of in a corporation's taxable year 1973 or thereafter to December 31, 1982, any difference in adjusted basis for purposes of the federal income tax and the Wisconsin tax on or measured by net income, apart from any difference amortized pursuant to par. (c), shall be taken into account in determining net income in the year of disposition. This paragraph applies to any taxpayers listed under par. (bm) 1 and 2, beginning with the taxpayer's taxable year 1973 and ending on December 31, 1980.

SECTION 1209. 71.04 (15) (er) of the statutes is created to read:

71.04 (15) (er) Commencing January 1, 1983, with respect to the sale, exchange, abandonment or other disposition of property in which gain or loss is recognized by the owner of the property, the Wisconsin adjusted basis of the property shall be determined under the applicable provisions of this chapter.

SECTION 1210. 71.04 (15) (f) of the statutes is amended to read:

71.04 (15) (f) With respect to any corporation which has, in any taxable year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property. For taxable years ending before January 1, 1981, with respect to any corporation listed under par. (bm) 1 and 2 which has, in any year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property.

SECTION 1210m. 71.04 (15) (fm) of the statutes is amended to read:

71.04 (15) (fm) For taxable years ending after December 31, 1980, with respect to any corporation listed under par. (bm) 1 and 2 that has, in any year before it derives any income with a Wisconsin situs for Wisconsin income tax purposes, taken depreciation or amortization of depreciable property acquired during taxable year 1981 and thereafter, the Wisconsin adjusted basis of that property, as of the beginning of the income year in which the corporation begins operations in this state shall be the adjusted basis that would have been computed under the depreciation provisions of the internal revenue code in effect on December 31, 1980.

SECTION 1211. 71.04 (15) (fn) of the statutes is created to read:

71.04 (15) (fn) For taxable years ending after December 31, 1982, with respect to any corporation that has, in any year before it derives any income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of out-of-state depreciable property first placed in service by the corporation on or after January 1, 1983, the Wisconsin adjusted basis of that property, as of the beginning of the income year in which the corporation begins operations in this state, is the adjusted basis that would have been computed under the depreciation provisions of the internal revenue code in effect on December 31, 1980.

SECTION 1212. 71.04 (15) (fo) of the statutes is created to read:

71.04 (15) (fo) With respect to out-of-state depreciable property first placed in service by the transferor on or after January 1, 1983, acquired by the transferee in a transaction in which under this chapter the adjusted basis of the property in the hands of the transferor also applies to the transferee, the Wisconsin adjusted basis of the property at the date of transfer is the adjusted basis that would have been computed under the depreciation provisions of the internal revenue code in effect on December 31, 1980.

SECTION 1213. 71.04 (15) (fp) of the statutes is created to read:

71.04 (15) (fp) For taxable years ending after December 31, 1982, with respect to depreciable property, other than mobile equipment as defined in par. (fq), first placed in service by the taxpayer on or after January 1, 1983, for which depreciation has been claimed in computing a taxpayer's Wisconsin income or franchise tax and which is then transferred into or out of this state by the taxpayer, deductible depreciation for the property after the transfer shall be computed under par. (b), and the depreciation or amortization allowed in computing Wisconsin income or franchise tax prior to transfer or used

in determining the property's Wisconsin adjusted basis shall be used in computing the property's Wisconsin adjusted basis at the date of transfer.

SECTION 1213m. 71.04 (15) (fq) of the statutes is created to read:

71.04 (15) (fq) For purposes of this subsection, mobile equipment that may move to and from this state, including but not limited to automobiles, trucks, airplanes, equipment licensed to operate on public roads and other equipment movable from job to job, is located in this state if it is licensed or registered, or required to be licensed or registered, in this state. If the equipment is not required to be licensed or registered in any state, it is located in this state if it is in this state for any portion of a day for at least 50% of the number of days during the time between the date on which the equipment is placed in service and the date on which the taxable year during which the equipment is placed in service ends.

SECTION 1213r. 71.04 (16) (a) and (d) of the statutes are amended to read:

71.04 (16) (a) All expenses for designing, constructing, equipping and installing a renewable energy resource system, as defined in s. 101.57 (8), 1981 stats., or 16.957 (8), in this state which are incurred on or after April 20, 1977, may be deducted in the year paid, may be depreciated or may be amortized over a period of 5 years. Only a renewable energy resource system which is installed and which is certified in accordance with the procedure specified in s. 101.57 (3), 1981 stats., or 16.957 (3) is eligible for this election. The election, once made, may not be changed and shall be made on the first tax return filed after the expenses are incurred.

(d) No expenses may be deducted, depreciated or amortized under this subsection if a credit has been received under s. 71.09 (12) or a refund has been received under s. 101.57, 1981 stats., or 16.957 for the same renewable energy resource system.

SECTION 1214. 71.05 (1) (a) 16 of the statutes is created to read:

71.05 (1) (a) 16. An amount equal to the amount of credit computed under s. 71.09 (12r) and (12rf). The credits under s. 71.09 (12r) and (12rf) are income in the taxable year for which the credits are computed under that subsection.

SECTION 1215. 71.05 (1) (a) 17 of the statutes is created to read:

71.05 (1) (a) 17. Any amount deducted under section 221 of the internal revenue code (relating to the deduction for 2-earner married couples).

SECTION 1216o. 71.05 (1) (a) 21 of the statutes is created to read:

71.05 (1) (a) 21. Any amount, otherwise deductible under the internal revenue code, paid by an employer which has the equivalent of 250 or more full-time employes and provides the employes with insured or uninsured health care coverage, for health care coverage costs for employes and their families, unless the employer offers to all employes at least 2 health care coverage plans providing substantially equivalent medical and hospital benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if the department of health and social services determines that those organizations are available in the area of the place of employment.

SECTION 1216p. 71.05 (1) (a) 22 of the statutes is created to read:

71.05 (1) (a) 22. Any amount excluded from adjusted gross income under section 641 (c) (1) of the internal revenue code (relating to gain on the sale of any property by a trust within 2 years of acquisition).

SECTION 1216q. 71.05 (1) (a) 23 of the statutes is created to read:

71.05 (1) (a) 23. The amount of interest excluded solely because of section 128 of the internal revenue code, as amended by section 302 (a) and (c) of P.L. 97-34 (relating to partial exclusion of interest).

SECTION 1216r. 71.05 (1) (a) 24 of the statutes is created to read:

71.05 (1) (a) 24. Any amount for employe health care benefits, otherwise deductible under the internal revenue code, paid by any employer which offers uninsured health care benefits to employes, unless the employer voluntarily includes in the contract or plan setting forth the health care benefits a provision that the employer shall be bound by those portions of s. 632.897 which apply to group insurance policies. In this subdivision, "employer" does not include a foreign corporation not having its principal office in this state, if fewer than the lesser of 150 or 25% of the employes receiving the health care benefits reside in this state.

SECTION 1217. 71.05 (1) (b) 7 of the statutes is amended to read:

71.05 (1) (b) 7. Any amount expended by an adoptive parent or a prospective adoptive parent in adoption fees, court costs or legal fees relating to the adoption of a child, whether or not the adoption process is completed, to the extent that this amount, when added to allowable medical deductions under section 213 of the internal revenue code, exceeds ~~3%~~ 5% of the person's federal adjusted gross income.

SECTION 1218. 71.05 (3) (g) of the statutes is created to read:

71.05 (3) (g) If a husband and wife elect the standard deduction and the sum of the standard deduction claimed by them exceeds the total amount of standard deduction allowable to them under this chapter, the department of revenue may allocate to each spouse 50% of the total standard deduction allowable to them. If 50% of the total standard deduction exceeds the Wisconsin adjusted gross income of one spouse, the department of revenue may allocate that excess amount to the other spouse. The department's allocation under this paragraph is presumed to be correct unless the department receives a written notice signed by both spouses agreeing to a different allocation of their standard deduction.

SECTION 1218m. 71.05 (3) (h) of the statutes is created to read:

71.05 (3) (h) For married persons whose deductions for individual retirement accounts are subject to the limitations of section 219 (c) (2) of the internal revenue code, the total deductions available to them for contributions made to the individual retirement accounts of both spouses may be divided between them as they choose. The manner in which such married persons divide the deductions for contributions to individual retirement accounts shall not affect the taxability of distributions from individual retirement accounts.

SECTION 1218no. 71.05 (5) of the statutes is created to read:

71.05 (5) CAPITAL GAIN AND LOSS TREATMENT FOR ADJUSTMENTS FOR DIFFERENCES IN WISCONSIN AND FEDERAL BASIS OF CAPITAL ASSETS. Notwithstanding the provisions of subs. (1) (c), (f) 3 and (g), (2) and (4), the amount of any adjustment relating to the basis of a capital asset shall be combined with other long-term or short-term capital gains and losses reportable for the taxable year or carryover year, as appropriate. The provisions of sections 1202, 1211, and 1212 of the internal revenue code, to the extent recognized or allowed by this chapter (including any addition required by sub. (1) (a) 2 for the taxable year 1983), apply to the resulting net gain or loss determined. Add or subtract, as appropriate, from federal adjusted gross income of the taxable year or a carryover year an amount to reflect the income consequences of making the amount of a basis adjustment required under this subsection subject to capital gain and loss treatment.

SECTION 1218o. 71.07 (2) (c) 2m of the statutes is created to read:

71.07 (2) (c) 2m. Sales of tangible personal property by an office in this state to a purchaser in another state which does not have jurisdiction for income tax purposes to tax the taxpayer are in this state if the property is shipped directly by a 3rd party to the purchaser and if the state from which the property is shipped does not have jurisdiction for income tax purposes to tax the taxpayer.

SECTION 1221. 71.09 (2) of the statutes is amended to read:

71.09 (2) Commencing with calendar year 1980 and corresponding fiscal years and thereafter to 1982, the dollar amounts in sub. (1b) shall be changed to reflect the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of June of the previous year, as determined by the U.S. department of labor, but in no case ~~shall~~ may the amounts be increased by more than 10%. The revised amounts shall be rounded to the nearest whole number divisible by 100, and in no case ~~shall~~ may be reduced below the amounts appearing in sub. (1b) on February 28, 1979. Commencing with calendar year 1986 and corresponding fiscal years and thereafter, the dollar amounts in sub. (1b) shall be changed to reflect the percentage change, minus 3%, between the U.S. consumer price index for all urban consumers, U.S. city average, for June of the current year and the U.S. consumer price index for all urban consumers, U.S. city average, for June of the previous year, as determined by the U.S. department of labor, but in no case may the amounts be increased by more than 7% or decreased by any amount. The revised amounts shall be rounded to the nearest whole number which is a multiple of \$10. The department of revenue shall annually adopt by rule any changes in dollar amounts required under this subsection, and incorporate them in the income tax forms and instructions.

SECTION 1226. 71.09 (6p) (intro.) of the statutes is amended to read:

71.09 (6p) (intro.) On income of the calendar year ~~1974~~ 1983 and corresponding fiscal years and thereafter, there may be deducted from the tax after it has been computed according to the rates of this section and s. 71.014, personal exemptions for natural persons as follows:

SECTION 1226e. 71.09 (7) (a) 1 of the statutes is amended to read:

71.09 (7) (a) 1. "Income" means the sum of adjusted gross income as defined in s. 71.02 (2) (e), maintenance payments, support money, cash public assistance and relief (not including credit granted under this subsection), the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act and veterans disability pensions), nontaxable interest received from the federal government or any of its instrumentalities, worker's compensation, unemployment compensation, the gross amount of "loss of time" insurance and compensation and other cash benefits received from the United States for past or present service in the armed forces, and scholarship and fellowship gifts or income, all regardless of the fact that they may be excluded from adjusted gross income as defined in s. 71.02 (2) (e). "Income" also includes the following amounts that are not included in adjusted gross income: capital gains, gain on the sale of a personal residence excluded under section 121 of the internal revenue code, dividends, contributions to individual retirement accounts under section 219 of the internal revenue code (except rollover contributions), intangible drilling costs, depletion allowances and the amount by which the value of a share of stock at the time a qualified or restricted stock option is exercised exceeds the option price. Depreciation deducted in determining Wisconsin adjusted gross income as defined in s. 71.02 (2) (e) shall be added to "income". "Income" does not include gifts from natural persons, cash reimbursement payments made under title XX of the federal social security act, or surplus food or other relief in kind supplied by a governmental agency. "Income" does not include the gain on the sale of a personal residence deferred under section 1034 of the internal revenue code or nonrecognized gain from involuntary conversions under section 1033 of the internal revenue code.

SECTION 1226m. 71.09 (7) (a) 6 of the statutes is amended to read:

71.09 (7) (a) 6. "Rent constituting property taxes accrued" means ~~25%~~ 20% of the gross rent actually paid in cash or its equivalent in 1964 or any subsequent calendar year by a claimant and his household solely for the right of occupancy of their Wisconsin

homestead in such calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under this section by such claimant.

SECTION 1226s. 71.09 (7) (a) 8 of the statutes is amended to read:

71.09 (7) (a) 8. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter under ch. 70, less the tax credit, if any, afforded in respect of such property by s. 79.10 (3). If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit under s. 79.10 (3)) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a homestead is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. If a household owns and occupies 2 or more homesteads in the same calendar year "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If the household owns and occupies the homestead for part of the calendar year and rents a homestead for part of the calendar year, it may include both the proration of taxes on the homestead owned and "rent constituting property taxes accrued" with respect to the months the homestead is rented, in computing the amount of the claim under pars. (gn) to ~~(gg)~~ (gr). If a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that are the percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding 120 acres of land, on that part of the multipurpose or multidwelling building occupied by the household as a principal residence plus that same percentage of the property taxes accrued on as much of the land surrounding it, not exceeding one acre, that is reasonably necessary for use of the multipurpose or multidwelling building as a principal residence, except as the limitations of par. (h) apply. If the homestead is part of a farm, "property taxes accrued" are the property taxes accrued on up to 35 acres of land contiguous to the claimant's principal residence and include the property taxes accrued on all improvements to real property located on such land, except as the limitations of par. (h) apply. For claims for 1967 and subsequent years, monthly parking permit fees collected under s. 66.058 (3) (c) shall be considered property taxes.

SECTION 1228. 71.09 (7) (e) of the statutes is amended to read:

71.09 (7) (e) The amount of any claim otherwise payable under this subsection may be applied by the department of revenue against any amount certified to the department under s. 71.105 or against any liability outstanding on the books of the department against the claimant, or against any other individual who was a member of his household in the year to which the claim relates.

SECTION 1228d. 71.09 (7) (gq) (intro.) of the statutes is amended to read:

71.09 (7) (gq) (intro.) The amount of any claim filed in 1982 ~~or thereafter~~ to 1983 and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

SECTION 1228h. 71.09 (7) (gr) of the statutes is created to read:

71.09 (7) (gr) The amount of any claim filed in 1984 or thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

1. If the household income was \$7,000 or less in the year to which the claim relates, the claim is limited to 80% of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.

2. If the household income was more than \$7,000 in the year to which the claim relates, the claim is limited to 80% of the amount by which the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 12.94% of the household income exceeding \$7,000.

3. No credit may be allowed if the household income of a claimant exceeds \$15,500.

SECTION 1228p. 71.09 (7) (h) 3 of the statutes is amended to read:

71.09 (7) (h) 3. In calendar year 1979, or any subsequent calendar year to 1982, \$1,000.

SECTION 1228t. 71.09 (7) (h) 4 of the statutes is created to read:

71.09 (7) (h) 4. In calendar year 1983, or any subsequent calendar year, \$1,100.

SECTION 1229m. 71.09 (9) of the statutes is amended to read:

71.09 (9) In the case of married persons filing a ~~joint combined~~ return all or part of the amount of ~~tax credits overpayment~~ of one spouse ~~in excess of the amount of tax~~ computed on the return ~~as payable by such spouse~~ may be credited to the tax liability on such return of the other spouse. This subsection applies only to couples who are married at the close of their taxable year and at the time of filing their returns and have no action for divorce or for legal separation pending between them at the time of filing their returns.

SECTION 1229n. 71.09 (11) (a) 3m of the statutes is amended to read:

71.09 (11) (a) 3m. "Gross farm profits" means gross receipts, excluding rent, from agricultural use, as defined in s. 91.01 (1) including the fair market value at the time of disposition of payments in kind for placing land in federal programs, less the cost or other basis of livestock or other items purchased for resale which are sold or otherwise disposed of during the income year.

SECTION 1229o. 71.09 (11) (a) 6. a of the statutes is amended to read:

71.09 (11) (a) 6. a. For an individual, means income as defined under sub. (7) (a) 1, plus nonfarm business losses, less the first \$25,000 of depreciation expenses in respect to the farm.

SECTION 1229r. 71.09 (11) (a) 6. b of the statutes is amended to read:

71.09 (11) (a) 6. b. For a corporate claimant, except a tax-option corporation, means the same as for an individual claimant except that income as defined under s. 71.02 (1) (a) plus any farm business loss carry forward allowed under s. 71.06 shall be included instead of income under sub. (7) (a) 1 and "income" of a corporate claimant shall include all household income of each of its corporate shareholders of record at the end of its income year, plus nonfarm business losses and depreciation expenses ~~over \$25,000~~ of the corporate claimant, except the first \$25,000 of depreciation expenses in respect to the farm.

SECTION 1231. 71.09 (11) (e) of the statutes is amended to read:

71.09 (11) (e) The amount of any claim otherwise payable under this subsection may be applied by the department against any amount certified to the department under s. 71.105 or against any liability outstanding on the books of the department against the claimant or against any other individual who was a member of the claimant's household in the year to which the claim relates.

SECTION 1231m. 71.09 (12c) of the statutes is created to read:

71.09 (12c) (a) For taxable year 1984 and thereafter, any natural person may credit against income taxes otherwise due an amount equal to 30% of the federal dependent care credit, prior to the adjustments for federal tax credits and federal tax liability, for which the person is eligible for the taxable year under section 44A of the internal revenue code as amended to December 31, 1982.

(b) Married persons may divide the total amount of the credit under this subsection between them as they choose, if the total claimed by a husband and wife does not exceed an amount equal to 30% of the federal dependent care credit, prior to the adjustments for federal tax credits and federal tax liability, for which the couple is eligible for the taxable year under section 44A of the internal revenue code as amended to December 31, 1982. The joint return requirement under section 44A (f) (2) of the internal revenue code does not apply to the credit under this subsection.

(c) No credit may be allowed under this subsection to married persons if the husband and wife report their income on separate income tax returns for the taxable year.

(d) For part-year residents, the credit under this subsection shall be reduced by one-twelfth for any full month in which the claimant is not domiciled in this state. Any month in which the claimant is domiciled in this state for less than 15 days is a full month for purposes of this paragraph. Nonresidents of this state are not eligible for the credit under this subsection.

(e) The department of revenue may enforce the credit under this subsection and may take any action, conduct any proceeding and proceed as it is authorized in respect to taxes under this chapter. The income tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties apply to the credit under this subsection.

(f) No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.10 (10) (bn).

~~SECTION 1232m. 71.09 (12p) of the statutes is created to read:~~

~~71.09 (12p) (a) The purpose of this subsection is to promote the health, safety and welfare of this state's residents by encouraging the rehabilitation and improvement of the housing of this state's low-income persons through the creation of an income tax credit that is available only for housing that has a low or moderate value and is at least 10 years old, that is based on rehabilitation expenses only and that is available even to persons who have little or no income tax liability.~~

~~(b) In this subsection:~~

- ~~1. "Department" means the department of revenue.~~
- ~~2. "Eligible rehabilitation" has the meaning under s. 560.06 (1) (d).~~
- ~~3. "Full valuation" for any property means the assessed value of the property divided by the assessment ratio for that class of property within the taxation district as determined from the taxation district's equalized value under s. 70.57.~~
- ~~4. "Home" means a one- or 2-family dwelling in this state and appurtenant land which has a full valuation of \$50,000 or less and is the principal residence of the occupants.~~
- ~~5. "Rental unit" means any dwelling in this state with 3 or more living units, one of which is the principal residence of the claimant, and appurtenant land that has a full valuation of \$75,000 or less.~~

~~(c) Beginning with taxable year 1985, a person who improves a home or rental unit owned by that person may credit against Wisconsin income taxes otherwise due an amount equal to 3.33% of the first \$3,000 in costs for the improvements incurred during the taxable year. If more than one person owns the home or rental unit, the credit under~~

This subsection may be divided among them according to their proportionate interest in the property.

(d) In each of the 4 years immediately following a claim allowed under par. (c), the claimant may claim as a credit the same amount that the claimant was allowed for those improvements for that prior year if the claimant is, at the end of the current taxable year, the owner of the home or rental unit. This amount shall be in addition to any new credit claimed for costs of improvements incurred during the current taxable year. However, the total credit allowed in any year under this subsection may not exceed \$100.

(e) If the allowable amount of the claim under this subsection exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified by the department to the department of administration for payment to the claimant by check from the appropriation under s. 20.835 (2) (cm), except as provided in par. (h). No interest may be allowed on any payment made to a claimant under this paragraph.

(f) This subsection does not apply to the owner of a new home or rental unit for which the original building permit was issued within the 10 years preceding the end of the taxable year for which the credit is first claimed or, if no original building permit was issued, which was first entered on the local tax roll within the 10 years preceding the end of the taxable year for which the credit is first claimed.

(g) Beginning with taxable year 1986, the department shall adjust the dollar amounts in par. (b) 4 and 5 annually to reflect the percentage of increase, not less than zero, in the average equalized valuation of all homes and rental units, respectively, in this state as determined by the department.

(h) Subsection (7) (dm) and (e) as it applies to the homestead credit applies to the credit under this subsection.

(i) Amounts allowed as credits under this subsection are not income for income and franchise tax purposes.

SECTION 1233. 71.09 (12r) of the statutes is created to read:

71.09 (12r) (a) *Credit*. Any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the person's qualified research expenses, as defined in section 44F of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant or passed through to the claimant from a tax-option corporation, partnership, estate or trust, incurred for research conducted in this state for the taxable year the person's base period research expenses, as defined in section 44F of the internal revenue code, except that for taxable year 1984 "base period" means the average for taxable years 1982 and 1983, and for taxable year 1985 "base period" means the average for taxable years 1982 to 1984.

(b) *Adjustments*. Adjustments for acquisitions and dispositions of a major portion of a trade or business shall be made under section 44F (f) (3) of the internal revenue code as limited by this subsection.

(c) *Credit for certain individuals*. The amount of credit allowable to an individual who owns an interest in an unincorporated trade or business, who is a partner in a partnership, who is a beneficiary of an estate or trust or who is a shareholder of a tax-option corporation shall be subject to the limitations of section 44F (g) (1) (B) of the internal revenue code, except that "tax" means the Wisconsin income or franchise tax otherwise due under this chapter.

(d) *Annualization*. In the case of any short taxable year, qualified research expenses shall be annualized as prescribed by the department of revenue.

(e) *Proration.* If a portion of qualified research expenses is incurred partly within and partly outside this state and the amount incurred in this state cannot be accurately determined, a portion of the qualified expenses shall be reasonably allocated to this state. Expenses incurred entirely outside this state for the benefit of research in this state are not allocable to this state under this paragraph.

(f) *Change of business or ownership.* In the case of a change in ownership or business of a corporation, section 383 of the internal revenue code, as limited by this subsection, applies to the carryover of unused credits.

(g) *Carry-over.* If the credit computed under par. (a) is not entirely offset against Wisconsin income or franchise taxes otherwise due, the unused balance may be carried forward and credited against Wisconsin income or franchise taxes otherwise due for the following 7 taxable years to the extent not offset by these taxes otherwise due in all intervening years between the year in which the expense was incurred and the year in which the carry-forward credit is claimed.

(j) *Administration.* The department of revenue has full power to administer the credit provided in this subsection and may take any action, conduct any proceeding and proceed as it is authorized in respect to income and franchise taxes imposed in this chapter. The income and franchise tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties apply to the credit under this subsection.

(k) *Timely claim.* No credit may be allowed under this subsection unless it is claimed within the period specified in s. 71.10 (10) (bn).

(L) *Nonclaimants.* The credit under this subsection may not be claimed by a partnership or tax-option corporation but may be claimed by partners or shareholders of a tax-option corporation in proportion to their ownership interest.

SECTION 1233m. 71.09 (12rf) of the statutes is created to read:

71.09 (12rf) (a) *Credit.* Any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount ~~obtained by subtracting from the amount paid or incurred by that person during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 44F of the internal revenue code, the amount paid or incurred in the "base period" by that person to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 44F of the internal revenue code.~~ Eligible amounts include only amounts paid or incurred for tangible, depreciable property but do not include amounts paid or incurred for replacement property. For taxable year 1984, "base period" means the average for taxable years 1982 and 1983, and for taxable year 1985 "base period" means the average for taxable years 1982 to 1984. For taxable years 1986 and thereafter, "base period" means the average for the 3 taxable years immediately preceding the taxable year for which the determination is being made.

**Vetoed  
in Part**

(b) *Calculation and administration.* Subsection (12r) (b) to (L) as it relates to the credit under that subsection applies to the credit under this subsection.

SECTION 1234. 71.09 (12t) of the statutes is created to read:

71.09 (12t) (a) For taxable year 1984 and thereafter, any natural person may credit against income taxes otherwise due an amount equal to 30% of the federal earned income credit for which the person is eligible for the taxable year under section 43 of the internal revenue code as amended to December 31, 1982.

(b) Married persons may divide the total amount of the credit under this subsection between them as they choose, if the aggregate claimed by a husband and wife does not exceed an amount equal to 30% of the federal earned income credit for which the couple is eligible for the taxable year under section 43 of the internal revenue code as amended to December 31, 1982. The joint return requirement under section 43 (d) of the internal revenue code does not apply to the credit under this subsection.

(c) No credit may be allowed under this subsection to married persons if the husband and wife report their income on separate income tax returns for the taxable year.

(d) Part-year residents and nonresidents of this state are not eligible for the credit under this subsection.

(e) The department of revenue has full power to enforce the credit under this subsection and may take any action, conduct any proceeding and proceed as it is authorized in respect to taxes under this chapter. The income tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties apply to the credit under this subsection.

(f) No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.10 (10) (bn).

SECTION 1235b. 71.097 of the statutes is created to read:

**71.097 Voluntary payments for endangered resources.** (1) **DEFINITIONS.** In this section:

(a) "Conservation fund" means the fund under s. 25.29.

(b) "Endangered resources program" means purchasing or improving land or habitats for any native Wisconsin endangered or threatened species as defined in s. 29.415 (2) (a) or (b) or for any nongame species as defined in s. 29.01 (3) (e), conducting wildlife and resource research and surveys and providing wildlife management services, providing for wildlife damage control or the payment of claims for damage associated with endangered or threatened species, repaying the general fund for amounts expended under s. 20.370 (1) (fb) in fiscal year 1983-84 and the payment of administrative expenses related to the administration of this section.

(2) **VOLUNTARY PAYMENTS.** (a) *Designation on return.* Any individual filing an income tax return may designate on the return any amount of additional payment or any amount of a refund due that individual for the endangered resources program.

(b) *Designation added to tax owed.* If the individual owes any tax, the individual shall remit in full the tax due and the amount designated on the return for the endangered resources program when the individual files a tax return.

(c) *Designation deducted from refund.* Except as provided under par. (e), if the individual is owed a refund for that year after crediting under ss. 71.09 (10) and 71.10 (10) (h), the department of revenue shall deduct the amount designated on the return for the endangered resources program from the amount of the refund.

(d) *Errors; failure to remit correct amount.* If an individual who owes taxes fails to remit an amount equal to or in excess of the total of the actual tax due, after error corrections, and the amount designated on the return for the endangered resources program:

1. The department shall reduce the designation for the endangered resources program to reflect the amount remitted in excess of the actual tax due, after error corrections, if the individual remitted an amount in excess of the actual tax due, after error corrections, but less than the total of the actual tax due, after error corrections, and the amount originally designated on the return for the endangered resources program.

2. The designation for the endangered resources program is void if the individual remitted an amount equal to or less than the actual tax due, after error corrections.

(e) *Errors; insufficient refund.* If an individual who is owed a refund which does not equal or exceed the amount designated on the return for the endangered resources program, after crediting under ss. 71.09 (10) and 71.10 (10) (h) and after error corrections, the department shall reduce the designation for the endangered resources program to reflect the actual amount of the refund the individual is otherwise owed, after crediting under ss. 71.09 (10) and 71.10 (10) (h) and after error corrections.

(f) *Conditions.* If an individual places any conditions on a designation for the endangered resources program, the designation is void.

(g) *Void designation.* If a designation for the endangered resources program is void, the department of revenue shall disregard the designation and determine amounts due, owed, refunded and received without regard to the void designation.

(3) ADMINISTRATION. (a) *Tax return.* The secretary of revenue shall provide a place for the designations under this section on the individual income tax return.

(b) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources, the department of administration and the state treasurer:

1. The total amount of the administrative costs, excluding data processing costs, incurred by the department of revenue in administering this section during the previous fiscal year.

2. The total amount of the data processing costs incurred by the department of revenue in administering this section during the previous fiscal year.

3. The total amount received from all designations for the endangered resources program made by taxpayers during the previous fiscal year.

4. The net amount remaining after the administrative and data processing costs under subs. 1 and 2 are subtracted from the total received under subd. 3.

(c) *Deposit.* From the moneys received from designation for the endangered resources program, an amount equal to the sum of administrative expenses certified under par. (b) 1 and 2 shall be deposited in the general fund and credited to the appropriations under s. 20.566 (1) (hp) and (3) (gp), respectively, and the net amount remaining certified under par. (b) 4 shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (fs).

(d) *Refunds.* Amounts designated for the endangered resources program under sub. (2) are not subject to refund to the taxpayer unless the taxpayer submits information to the satisfaction of the department within 18 months after the date taxes are due or the date the return is filed, whichever is later, that the amount designated is clearly in error. Any refund granted by the department of revenue under this paragraph shall be deducted from the moneys received under this section in the fiscal year the refund is certified.

SECTION 1235e. 71.10 (2) (a) 5. (intro.) of the statutes is amended to read:

71.10 (2) (a) 5. (intro.) ~~For the 1977 calendar year or corresponding fiscal year and thereafter~~ Except as provided in subd. 5. d, par. (c) and s. 71.11 (3) :

SECTION 1235m. 71.10 (2) (a) 5. c of the statutes is repealed.

SECTION 1235s. 71.10 (2) (a) 5. d of the statutes is created to read:

71.10 (2) (a) 5. d. Every natural person for whom a deduction from tax under s. 71.09 (6p) (b) is allowable to another taxpayer for the taxable year shall file a return if that natural person has gross income, not including earned income, of \$1,000 or more.

SECTION 1236. 71.10 (10) (i) of the statutes is amended to read:

71.10 (10) (i) If an income tax refund or tax credit check is payable to a person who dies, the department shall pay the refund or credit check to the decedent's personal representative. If there is no personal representative, the department shall pay the refund or credit check either to a surviving relative, giving preference to relatives in the following order: surviving spouse, child, parent, brother or sister, or to a creditor of the decedent, as determined by the department. ~~If no claim is made for the amount within 2 years of the due date of the return or claim or of the date of filing, whichever is later, the amount escheats to this state.~~

SECTION 1237. 71.105 (2) of the statutes is amended to read:

71.105 (2) A state agency may, ~~and the department of health and social services in respect to delinquent child support payments shall,~~ certify to the department for setoff any properly identified debt exceeding \$20. At least 30 days prior to certification each debtor shall be sent a notice by the state agency of its intent to certify the debt to the department for setoff and of the debtor's right of appeal. At the time of certification, the certifying state agency shall furnish the social security number of individual debtors and the federal employer identification number of other debtors.

SECTION 1238. 71.105 (4) of the statutes is amended to read:

71.105 (4) ~~Not less than~~ Within 30 days after the close of each calendar quarter, the department shall settle with each state agency that has certified a debt. Each settlement shall note the opening balance of debts certified, any additions or deletions, amounts set off and the ending balance at the close of the settlement period.

SECTION 1239. 71.105 (5) of the statutes is amended to read:

71.105 (5) At the time of each settlement, each state agency shall be charged, ~~as for administration expenses, 10% of the amount set off for the state agency. The~~ and the amounts charged shall be credited to the department's appropriation under s. 20.566 (1) ~~(a) (h).~~ (h). Annually on or before ~~October~~ November 1, the department shall review its costs incurred during the previous fiscal year in administering state agency setoffs and shall adjust its subsequent charges to each state agency to reflect that experience.

SECTION 1240. 71.105 (6) of the statutes is repealed.

SECTION 1240n. 71.11 (21) (g) 2 of the statutes is amended to read:

71.11 (21) (g) 2. If notice of assessment or refund is given to the taxpayer within 90 days of the date on which the department receives a report from the taxpayer under sub. (21m) or within such other period specified in a written agreement entered into prior to the expiration of such 90 days by the taxpayer and the department. If the taxpayer does not report to the department as required under sub. (21m), the department may make an assessment against the taxpayer after discovery by the department of the requirement of such reports within 10 years after the date on which the tax return is filed. This 10-year time limitation shall or within 2 years after the date when the federal determination of tax becomes final, whichever is later. The limitations under this subdivision in respect to taxpayers who do not report to the department do not apply to assessments made under par. (c).

SECTION 1241. 71.11 (22) of the statutes is amended to read:

71.11 (22) NOTICE OF ADDITIONAL ASSESSMENT. No additional assessment by office audit or field investigation shall be placed upon the assessment roll without notice in writing to the taxpayer. ~~Such notice shall be served as a circuit court summons or by registered mail. Service of such notice by regular mail shall also be sufficient notice of such assessment if receipt thereof is admitted by the person assessed, or if there is other satisfactory evidence of the receipt thereof.~~

SECTION 1241m. 71.11 (44) (c) 10 of the statutes is created to read:

71.11 (44) (c) 10. Employees of the legislative fiscal bureau to the extent that the department of revenue deems the examination necessary for those employees to perform their duties under contracts or agreements between the department and the bureau relating to the review and analysis of tax policy and the analysis of state revenue collections.

SECTION 1241n. 71.11 (44m) of the statutes is created to read:

71.11 (44m) SAME; INDIVIDUAL RETIREMENT ACCOUNTS. Any person who is liable for a penalty for federal income tax purposes under section 408 (f), 4973, 4974 or 4975 of the internal revenue code is liable for 33% of the federal penalty. The penalties provided

under this subsection shall be assessed, levied and collected in the same manner as income taxes.

SECTION 1243. 71.12 (1) (a) of the statutes is amended to read:

71.12 (1) (a) Except for refunds set off under s. 71.105 in respect to which appeal is to the agency to which the debt is owed and except for refunds set off under s. 46.255 in respect to which ~~appeal is to the department of health and social services~~ a hearing is held before the circuit court, any person feeling aggrieved by a notice of additional assessment, refund, or notice of denial of refund may, within 60 days after receipt of the notice, petition the department of revenue for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed.

SECTION 1244. 71.12 (3) of the statutes is amended to read:

71.12 (3) No person against whom an assessment of income tax has been made shall be allowed in any action either as plaintiff or defendant or in any other proceeding to question such assessment unless the requirements of sub. (1) shall first have been complied with, and unless such person shall have made full disclosure under oath at the hearing before the tax appeals commission of any and all income received by him. The requirements of requirement of full disclosure under this subsection may be waived by the department of revenue.

SECTION 1245. 71.13 (4) (b) of the statutes is amended to read:

71.13 (4) (b) Any taxpayer may petition the department of revenue to compromise his or her delinquent income taxes including the costs, penalties and interest. Such petition shall set forth a sworn statement of the taxpayer and shall be in such form as the department shall prescribe and the department may examine the petitioner under oath concerning the matter. If the department finds that the taxpayer is unable to pay the taxes, costs, penalties and interest in full it shall determine the amount the taxpayer is able to pay and shall enter an order reducing such taxes, costs, penalties and interest in accordance with such determination. Such order shall provide that such compromise shall be effective only if paid within 10 days. The department or its collection agents upon receipt of such order shall accept payment in accordance with the order. Upon payment the department shall enter the unpaid portion of the principal amount of such taxes on the next credit roll and make appropriate record of the unpaid amount of penalties, costs, and interest accrued to the date of such order. If within 3 years of the date of such compromise order the department shall ascertain that the taxpayer has an income or property sufficient to enable the taxpayer to pay the remainder of the tax including costs, penalty and interest the department shall reopen said matter and order the payment in full of such taxes, costs, penalties and interest. Before the entry of such order a notice shall be ~~sent~~ given to the taxpayer ~~by certified mail in writing~~ advising of the intention of the department of revenue to reopen such matter and fixing a time and place for the appearance of the taxpayer if he or she desires a hearing. Upon entry of such order the department of revenue shall make an entry of the principal amount of such taxes, penalties, costs and interest ordered to be paid on the delinquent roll and such taxes shall be immediately due and payable upon entry upon the roll and shall thereafter be subject to the interest provided by sub. (1), and the department shall immediately proceed to collect the same together with the unpaid portion of penalty, costs, and interest accrued to the date of the compromise order.

SECTION 1246. 71.20 (2m) of the statutes is amended to read:

71.20 (2m) The department shall ~~annually review~~ from time to time adjust the withholding tables and shall ~~adjust the tables beginning on January 1, 1983, and on each January 1 thereafter~~ to reflect any changes in income tax rates, any applicable surtax or any changes in dollar amounts in s. 71.09 (1b) resulting from statutory changes ~~or from the estimated percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, from the month of June of the preceding year to the month of June~~

~~of the current year, but not to exceed 10%, plus or minus any adjustment necessary to reflect the difference between the actual and estimated percentage changes in the U.S. consumer price index for all urban consumers, U.S. city average, for the previous year or years. On January 1, 1987, and on each January 1 thereafter the department shall adjust the tables to reflect changes under s. 71.09 (2).~~ No adjustment of the withholding tables is required unless the ~~net price index~~ adjustment under s. 71.09 (2) is 4% or more. The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of pay periods in a year, reasonably reflect the annual wage of the employe from the employer and shall be based on the further assumption that the annual wage will be reduced for allowable deductions from gross income. The department may determine the length of the tables and a reasonable span for each bracket. In preparing the tables the department shall adjust all withholding amounts not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents. The department shall also provide instructions with the tables for withholding with respect to quarterly, semiannual and annual pay periods.

SECTION 1246m. 71.20 (11m) of the statutes is created to read:

71.20 (11m) If a payee furnishes written notification to a payor of any pension that the payee desires to have Wisconsin income tax withheld from the pension, the payor shall withhold in accordance with the withholding tables an amount from each pension payment to the payee or the amount that the payee designates to the payor. The amount withheld from each pension payment may not be less than \$5. For purposes of this subsection, "pension" includes any retirement payment plan. Payors withholding under this subsection are employers for all purposes of this section and shall withhold, remit and be subject to the other requirements of an employer in withholding Wisconsin income tax from employes.

SECTION 1247. 71.20 (13m) of the statutes is created to read:

71.20 (13m) The department of health and social services is not required to withhold under sub. (1) from wages paid to an inmate working in a prison listed in s. 53.01, and if the inmate's wages do not exceed \$2,000 per year the department of health and social services is not required under sub. (4) to file reports relating to those wages.

SECTION 1247am. 71.22 (1) of the statutes is amended to read:

71.22 (1) Every corporation subject to income or franchise taxation under this chapter shall file, at the time hereinafter prescribed, a declaration of estimated income or franchise tax, if the total tax based on income of any such year can reasonably be expected to exceed ~~\$2,000~~ \$500. Such declaration shall contain such information as the department may by rule or form prescribe.

SECTION 1247c. 71.22 (9) (intro.) of the statutes is amended to read:

71.22 (9) (intro.) For sub. (8) the underpayment shall be the excess of the amount of the instalment which would be required to be paid if the total estimated tax were equal to ~~80%~~ 90% of the tax shown on the return for the taxable year (or, if no return was filed, ~~80%~~ 90% of the tax for the year) over the amount, if any, of the instalment paid on or before the last date prescribed for payment. The period of the underpayment shall run from the date the instalment was required to be paid to whichever of the following dates is the earlier:

SECTION 1247g. 71.22 (10) (a) of the statutes is amended to read:

71.22 (10) (a) The tax shown on the return of the corporation for the preceding taxable year but not less than 60% of the tax shown on the return for the current taxable year for taxable year 1983 for corporations that have a Wisconsin taxable income of \$250,000 or more for taxable year 1983 and but not less than 90% for taxable year 1984 and thereafter for corporations that have a Wisconsin taxable income of \$250,000 or

more for the current taxable year or, if no return is filed, not less than 60% of the tax for the current taxable year for taxable year 1983 for corporations that have a Wisconsin taxable income of \$250,000 or more for taxable year 1983 and but not less than 90% for taxable year 1984 and thereafter for corporations that have a Wisconsin taxable income of \$250,000 or more for the current taxable year, if a return showing a liability for tax was filed by the corporation on or measured by the income of the preceding year and such preceding year was a taxable year of 12 months.

SECTION 1247n. 71.22 (10) (b) of the statutes is amended to read:

71.22 (10) (b) An amount equal to the tax computed at the rates applicable to the taxable year, but otherwise on the basis of the facts shown on the return of the corporation for and the law applicable to the preceding taxable year but not less than 60% of the tax shown on the return for the current taxable year for taxable year 1983 for corporations that have a Wisconsin taxable income of \$250,000 or more for taxable year 1983 and but not less than 90% for taxable year 1984 and thereafter for corporations that have a Wisconsin taxable income of \$250,000 or more for the current taxable year or, if no return is filed, not less than 60% of the tax for the current taxable year for taxable year 1983 for corporations that have a Wisconsin taxable income of \$250,000 or more for taxable year 1983 and but not less than 90% for taxable year 1984 and thereafter for corporations that have a Wisconsin taxable income of \$250,000 or more for the current taxable year.

SECTION 1247r. 71.22 (10) (c) (intro.) of the statutes is amended to read:

71.22 (10) (c) (intro.) An amount equal to ~~80%~~ 90% of the tax for the taxable year computed by placing on an annualized basis the taxable income:

SECTION 1249g. 71.53 (1) (b) of the statutes is amended to read:

71.53 (1) (b) “Principal dwelling” means any dwelling used as a primary residence by the claimant, including a part of a multidwelling or multipurpose building, whether owned or rented, and the land surrounding it that is reasonably necessary for use of the dwelling as a primary dwelling of the claimant and may include a part of a multidwelling or multipurpose building and a part of the land upon which it is built that is used as the claimant’s primary dwelling.

SECTION 1249r. 71.53 (1) (c) of the statutes is amended to read:

71.53 (1) (c) “Property taxes” means real and personal property taxes, exclusive of special assessments, delinquent interest and charges for service, paid by a claimant on the claimant’s principal dwelling during the taxable year for which credit under this section is claimed, less any property taxes paid which are properly includible as a trade or business expense under section 162 of the internal revenue code and less the tax credit, if any, afforded in respect of the property by ss. 79.10 (3) and 79.17 (3m). If the property principal dwelling on which the taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants in common, “property taxes” is that part of property taxes paid, reduced by any tax credit under ss. 79.10 (3) and 79.17 (3m), as that reflects the ownership percentage of the claimant. If property the principal dwelling is sold during the taxable year the “property taxes” for the seller and buyer shall be the amount of the tax prorated to each in the closing agreement pertaining to the sale or, if not so provided for in the closing agreement, the tax shall be prorated between the seller and buyer in proportion to months of their respective ownership. “Property taxes” includes monthly parking permit fees in respect to a principal dwelling collected under s. 66.058 (3) (c).

SECTION 1250. 71.53 (2) of the statutes is amended to read:

71.53 (2) Subject to the limitations provided in this section, a claimant may claim as a credit against, but not to exceed the amount of, Wisconsin net income taxes otherwise due, ~~12%~~ 10% of the claimant’s property taxes and rent constituting property taxes. Married persons may claim the credit against, but not to exceed the amount of, their

combined Wisconsin net income taxes otherwise due. ~~This credit shall be subtracted from the Wisconsin net income tax liability prior to the application of any credit under s. 71.09 (7), and (11) or (12).~~

SECTION 1251. 71.55 of the statutes is repealed.

SECTION 1253. 71.60 (1) (c) of the statutes is amended to read:

71.60 (1) (c) "Internal revenue code" means the federal internal revenue code in effect on December 31, ~~1980~~ 1982.

SECTION 1254. 71.60 (1) (d) of the statutes is amended to read:

71.60 (1) (d) "Tax preference items" means those items enumerated in section 57 (a) (2), (3), (6), (8) ~~and~~ (11) and (12) of the internal revenue code plus adjusted itemized deductions and capital gains deductions. Each member of a partnership shall include that partner's distributive share of the partnership's income and deductions that are tax preference items. Each shareholder of a corporation electing to be taxed under subchapter S of the internal revenue code shall include the shareholder's proportionate share of the corporation's income and deductions that are tax preference items. For a natural person who is a resident for part of the taxable year, tax preference items are only those which relate to income allocable to this state under s. 71.07, income received while a resident of this state and itemized deductions as defined in s. 71.02 (2) (f). For a natural person who is a nonresident of this state during the entire taxable year, tax preference items are only those which relate to property located in this state, income allocable to this state under s. 71.07 and itemized deductions as defined in s. 71.02 (2) (f).

SECTION 1255. 71.60 (2) of the statutes is amended to read:

71.60 (2) IMPOSITION OF TAX. For taxable year 1981 and thereafter, in addition to other taxes imposed by this chapter, each natural person, trust and estate shall pay by the due date for filing the person's, trust's or estate's income tax return a tax equal to 5% of the amount by which the sum of that person's, trust's or estate's tax preference items as defined in section 57 (a) (2), (3), (6), (8) ~~and~~ (11) and (12) of the internal revenue code plus adjusted itemized deductions and capital gains deductions exceeds \$10,000. The minimum tax imposed under this section may not be deducted in determining a person's, trust's or estate's Wisconsin taxable income or tax under this chapter. The minimum tax imposed under this section may not be offset or reduced by personal exemptions under s. 71.09 (6p), property tax or rent credits under s. 71.53, the child care credit under s. 71.09 (12c) or the earned income credit under s. 71.09 (12t).

SECTION 1255m. 71.65 of the statutes is created to read:

**71.65 Order of computations.** (1) Notwithstanding any other provisions in this chapter, all persons other than corporations computing liability for the tax under s. 71.01 shall make computations in the following order:

- (a) Tax under s. 71.09 (1b).
- (b) Surtax under s. 71.014.
- (c) Personal exemptions under s. 71.09 (6p).
- (d) Property tax and rent credit under s. 71.53.
- ~~(dm) Home rehabilitation credit under s. 71.09 (12p)~~ **Vetoed in Part**
- (e) Child care credit under s. 71.09 (12c).
- (f) Earned income credit under s. 71.09 (12t).
- (g) Minimum tax under s. 71.60, including any surtax on minimum tax.
- (h) Payments to other states under s. 71.09 (8).
- (i) Research credit under s. 71.09 (12r).
- (j) Research property credit under s. 71.09 (12rf).

(k) Community development finance authority credit under s. 71.09 (12m).

(L) The total of farmland preservation credit under s. 71.09 (11), homestead credit under s. 71.09 (7), estimated tax payments under s. 71.21 and taxes withheld under s. 71.19.

(2) Notwithstanding any other provisions in this chapter, corporations computing liability for the tax under s. 71.01 (1) or (2) shall make computations in the following order:

(a) Tax under s. 71.01 (1) or (2).

(b) Surtax under s. 71.013.

(c) Credit for sales tax on fuel under s. 71.043.

(d) Research credit under s. 71.09 (12r).

(e) Research property credit under s. 71.09 (12rf).

(f) Community development finance authority credit under s. 71.09 (12m).

(g) The total of farmland preservation credit under s. 71.09 (11) and estimated tax payments under s. 71.22.

SECTION 1256. 72.01 (17) of the statutes is amended to read:

72.01 (17) "Power of appointment" means any general power to appoint, as defined by section 2041 (relating to estate taxes) or 2514 (relating to gift taxes) of the 1954 internal revenue code, as amended to December 31, ~~1981~~ 1982 and as amended by P.L. 97-424, P.L. 97-448 and P.L. 97-473.

SECTION 1257. 72.12 (4) (c) 1 of the statutes is amended to read:

72.12 (4) (c) 1. Benefits paid to a beneficiary under an employe benefit plan are taxable under this subchapter except to the extent that the proportionate share resulting from the employer's contribution would be excludable from the gross estate of the decedent under section 2039 of the 1954 internal revenue code as amended to December 31, ~~1981~~ 1982 and as amended by P.L. 97-424, P.L. 97-448 and P.L. 97-473. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 1258. 72.22 (4) (a) of the statutes is amended to read:

72.22 (4) (a) Whether or not there is a federal estate tax liability, if the estate would be authorized to pay federal estate taxes under section 6166 of the internal revenue code, as amended to December 31, ~~1981, 1982, and as amended by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4~~ in lieu of full payment, payment may be made according to an equal payment schedule over a period not to exceed 15 years from the decedent's date of death. If an election is made under this subsection, the election shall apply only to the portion of the tax payable by a distributee which is determined by dividing the value of property received by a distributee which qualifies an estate for the election under the internal revenue code by the value of all property received by the distributee. A distributee electing to pay under this subsection may subsequently pay part or all of the remaining tax plus interest at the time any scheduled payment is due under this subsection. Interest on instalment payments under this subsection shall be computed under s. 72.23 at 12% per year.

SECTION 1259. 72.86 (1) of the statutes is amended to read:

72.86 (1) ADDITIONAL ASSESSMENT. No later than 4 years after the report required by s. 72.85 is filed, the department shall audit it and assess any additional tax which may be due. Interest shall be charged and collected at the rate of 12% per year for the period from the date on which the report was due until payment. If no report of a transfer is filed, an assessment may be made any time after the report was due. Notice of an assessment shall be given to both the donor and donee ~~by certified mail~~ in writing. If the

additional tax is not paid within 60 days from the receipt of the notice, an additional penalty of 5% of the tax shall be imposed and collected.

SECTION 1260. 72.86 (3) of the statutes is amended to read:

72.86 (3) DUTY TO FURNISH INFORMATION. If the department considers it necessary, it may require any person, by notice ~~served upon him by certified mail~~, to make a return, render statements under oath, or to keep records, which the department deems sufficient to show whether or not the person is liable for a tax under this subchapter. If any person so served fails to make a return, render information or keep records required by the department, an additional tax equal to 5% of the amount of tax due shall be assessed and collected in the same manner, at the same time, and subject to the same conditions as apply to the gift tax imposed by this subchapter.

SECTION 1261. 73.01 (3) (b) of the statutes is amended to read:

73.01 (3) (b) The commission shall provide for the publication of such of its reports, decisions and opinions as are of public interest in such form as it deems best adapted for public convenience and use. Such publications shall constitute the official reports of the commission and shall be made available for sale and distribution to the public under ch. 35. In addition to ~~its annual~~ any report submitted under s. 15.06 (7), the commission shall make such further reports to the governor or the legislature as they request.

SECTION 1262. 73.01 (4) (a) of the statutes is amended to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.38 (4) (a), 70.64, 70.995 (8), 71.12, 72.86 (4), 76.38 (12) (a), 76.39 (4) (c), 76.48 (6), ~~77.26 (3), 77.59 (6) (b), 78.22, 139.03 (4), 139.315 and 139.78.~~ Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 1263. 73.01 (5) (a) of the statutes is amended to read:

73.01 (5) (a) Any person who is aggrieved by a determination of the state board of assessors under s. 70.995 (8) (a) or who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department may, within ~~15~~ 60 days of the determination of the state board of assessors ~~under s. 70.995 (8) (a)~~ or, in all other cases, within 60 days after the redetermination but not thereafter, file a petition for review of the action of the department and 4 copies of the petition with the clerk of the commission. The clerk of the commission shall transmit one copy to the department of revenue and to each party. In the case of appeals from manufacturing property assessments, the person assessed shall be a party to a proceeding initiated by a municipality. At the time of filing the petition, the petitioner shall pay to the commission a \$5 filing fee which the commission shall deposit in the general fund. Within 30 days after such transmission the department, except for petitions objecting to manufacturing property assessments, shall file an original and 3 copies of an answer to the petition with the clerk of the commission and shall serve one copy on the petitioner or the petitioner's attorney or agent. Within 30 days after service of the answer, the petitioner may file and serve a reply in the same manner as the petition is filed. Any person entitled to be heard by the commission under s. 76.38 (12) (a), 76.39 (4) (c) or 76.48 may file a petition with the commission within the time and in the manner provided for the

filing of petitions in income tax cases. Such papers may be served as a circuit court summons is served or by certified mail. For the purposes of this subsection, a petition for review is considered timely filed if mailed by certified mail in a properly addressed envelope, with postage duly prepaid, which envelope is postmarked before midnight of the last day for filing.

SECTION 1264d. 73.08 of the statutes is renumbered 73.08 (1).

SECTION 1264h. 73.08 (1) of the statutes, as affected by 1983 Wisconsin Act ... (this act), is renumbered 73.08.

SECTION 1264p. 73.08 (2) of the statutes is created to read:

73.08 (2) All costs of the department of revenue in connection with the review of assessment practices under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1264t. 73.08 (2) of the statutes, as created by 1983 Wisconsin Act ... (this act), is repealed.

SECTION 1264v. 73.09 (4) (b) of the statutes is amended to read:

73.09 (4) (b) Persons may be recertified by passing an examination as provided in sub. (5) or by attendance ~~during~~ for 4 of the previous 5 years at annual meetings called by the department of revenue under s. 73.06 (1) and by meeting continuing education requirements determined by the department of revenue.

SECTION 1265. 73.10 (2) of the statutes is renumbered 73.10 (2) (a) and amended to read:

73.10 (2) (a) The department shall collect annually from all town, city, village, county and other public officers, information as to the collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, and such other information as is needed by the department, in such form and upon such blanks as the department prescribes; ~~and all, including but not limited to the requirements under par. (b).~~ All public officers so called upon shall fill out properly and return promptly to the department all blanks so transmitted. The department shall examine all town, village, city, county and other public records for such purposes as the department deems necessary. The department shall publish annually the information collected, with such compilations, analyses or recommendations as are deemed necessary. The department shall disseminate information concerning local government accounting, auditing and fiscal matters.

SECTION 1266. 73.10 (2) (b) of the statutes is created to read:

73.10 (2) (b) The department may require by rule that the information it needs under par. (a) be submitted as annual financial statements, notes to the financial statements and supporting schedules, that the statements, notes and schedules conform to generally accepted accounting principles promulgated by the national council on governmental accounting and that the statements, notes and schedules be audited in accordance with generally accepted auditing standards. Notwithstanding s. 227.01 (11) (j), a rule under this paragraph is subject to the requirements of ch. 227.

SECTION 1267. 73.10 (3) of the statutes is amended to read:

73.10 (3) The department may inspect and examine or cause an inspection and examination of the records of any town, city, village, county or other public officer whenever such officer fails or neglects to return properly the information required by sub. (2) within the time set by the department specified under s. 86.303 (5) (c) or (d).

SECTION 1267m. 73.10 (5) of the statutes is amended to read:

73.10 (5) The department shall inquire into the system of accounting of public funds in use by towns, villages, cities, counties, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies except school districts and boards of education; devise, prescribe and at the request of any town, village, city, county, vocational, technical and adult education districts or other local public body, board, commission, department or agency except school districts and boards of education, install a system of accounts which is as nearly uniform as practicable and when so installed the system shall be retained in use and at the request of school districts and boards of education, install accounting systems which conform to the uniform financial accounting system prescribed by s. 115.28 (13); ~~and audit the books of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, or any municipal electric utility upon the request of the governing board, council, commission or body thereof, or upon its own motion or under a contractual arrangement with a state or federal agency which has statutory authority and responsibility for auditing specified activities of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts, or other local public bodies, boards, commissions, departments or agencies or health care providers that receive medical assistance funds and has sufficient funds to pay the department amounts specified by the contract; and provide management advisory services to federal agencies under a contractual arrangement.~~ Nothing in this subsection may be construed to be exclusive and prevent a local governing body from employing an auditor of its own choice duly licensed under ch. 442.

SECTION 1268. 74.80 (2) of the statutes is amended to read:

74.80 (2) (a) The board of any county or the city council of any city authorized by law to collect and sell its own taxes may by ordinance impose a penalty of ~~6% or less up to 0.5% per month or fraction of a month~~, in addition to the interest under sub. (1), on any overdue or delinquent real estate taxes and special assessments. The ordinance governing body of any city, village or town may, by ordinance, impose a penalty of up to 0.5% per month or fraction of a month, in addition to the interest under sub. (1), on any overdue or delinquent personal property taxes.

(b) Any ordinance enacted under par. (a) may specify that the penalty under this subsection shall apply to any real estate taxes and special assessments, or to any personal property taxes, that are overdue or delinquent on the effective date of the ordinance. The ordinance may specify that the penalty under this subsection shall apply to any real estate taxes and special assessments, or to any personal property taxes, that become overdue or delinquent on or after January 1, 1982. The ordinance may specify that any or all of the real estate taxes and special assessments on an owner-occupied residence or farm is not subject to the penalty under this subsection. The ordinance may specify that the county treasurer shall exclude the additional revenue generated by the penalty from the distributions required by ss. 74.03 (7) and 74.031 (12) (c) and (d).

SECTION 1268b. 76.01 of the statutes is amended to read:

**76.01 Railroads and utilities, assessment.** The department of revenue shall make an annual assessment of the property of all railroad companies, ~~of all light, heat and power companies~~, of all telegraph companies, of all conservation and regulation companies, of all sleeping car companies, of all air carriers, and of all pipeline companies, within this state, for the purpose of levying and collecting taxes thereon, as provided in this subchapter.

SECTION 1268j. 76.02 (8) of the statutes is repealed.

SECTION 1268L. 76.02 (9) of the statutes is amended to read:

76.02 (9) ~~The word "company"~~ "Company", without other designation or qualification, shall ~~mean and include~~ includes any railroad company, ~~any light, heat and power company,~~ any telegraph company, any conservation and regulation company, any express company, and any sleeping car company, as defined in this section, to which ~~the word~~ "company" is applied.

SECTION 1268r. 76.03 (5) of the statutes is repealed.

SECTION 1268u. 76.04 (1) of the statutes is amended to read:

76.04 (1) Every company defined in s. 76.02 shall, annually, file a true and accurate statement in such manner and form and setting forth such facts as the department shall deem necessary to enforce ss. 76.01 to 76.26. The annual reports for railroad companies, telegraph companies, sleeping car companies and express companies shall be filed on or before April 15 and for ~~light, heat and power companies,~~ conservation and regulation companies, air carriers and pipeline companies on or before May 1. For sufficient reason shown the department may upon written request allow such further time for making and filing the report as it may deem necessary, but not to exceed 30 days. If any company fails to file such report within the time prescribed or as extended under this subsection, the department shall add to the taxes due from such company the amount of \$25, and no company shall be allowed in any action or proceeding to contest the imposition of such penalty.

SECTION 1268y. 76.07 (1) of the statutes is amended to read:

76.07 (1) DUTY OF DEPARTMENT. The department on or before August 1 in each year in the case of railroad companies, telegraph companies and sleeping car companies, and on or before September 15 in the case of ~~light, heat and power companies,~~ air carrier companies, conservation and regulation companies, and pipeline companies, shall, according to its best knowledge and judgment, ascertain and determine the full market value of the property of each company within the state.

SECTION 1268z. 76.07 (4) of the statutes is repealed.

SECTION 1269. 76.13 (2) of the statutes is amended to read:

76.13 (2) Every tax roll upon completion shall be delivered to the state treasurer and a copy of the tax roll filed with the secretary of administration. The department shall notify, by certified mail, all companies listed on the tax roll of the amount of tax due, which shall be paid to the department, ~~as follows: In the case of companies assessed on or before June 15, not less than one-half of the amount of the tax on or before July 10 and the remainder on or before October 15 of the same year; and in the case of all other companies on or before December 1 in the year 1971, and thereafter November 10 of each year. The payment dates in this subsection shall be applicable to the calendar year 1975 and prior years. Thereafter, the.~~ The payment dates provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part of the tax ultimately required to be paid shall bear interest from the original due date to the date the appeal became final at the rate of 12% per year and at 1.5% per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of the company prior to all other liens, claims and demands whatsoever, which lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of the company within the state as an entirety.

SECTION 1270. 76.13 (2a) of the statutes is amended to read:

76.13 (2a) ~~Beginning with the calendar year 1976~~ In 1983 and thereafter for companies defined in s. 76.02 (2) or (5a) and in 1983 for all other companies, taxes levied under this section shall be paid to the department in semiannual instalments, on May 10 and No-

ember 10, on a partially estimated basis. Companies assessed under s. 76.07 (1) shall adjust the remaining semiannual payment made on November 10 so as to ~~reflect~~ properly ~~reflect~~ and pay the total amount of tax assessed. The semiannual instalments may be reduced by a proportional share of the property tax credit provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the total tax credit reductions in prior semiannual payments for the year shall be added to or subtracted from the November 10 payment in each year. If any company fails to make semiannual payments, prior to the assessment date, of at least 50% of either the total tax assessed less tax credit under s. 79.10 (1a) (c), 1979 stats., for the previous calendar year or 80% of the tax assessed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under s. 76.14. The payment of 25% of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part thereof ultimately required to be paid shall bear interest from the original due date to the date the appeal becomes final at the rate of 12% per year and at 1.5% per month thereafter until paid. ~~Commencing with calendar year 1978 and thereafter companies~~ In 1984 and thereafter, taxes levied under this section on companies except those defined in s. 76.02 (2) or (5a) shall be paid to the department on May 10. If any company required to pay annually fails to make a payment of at least 105% of the total tax assessed for the prior year, any amounts not paid are subject to interest under s. 76.14. In 1984 and thereafter, on November 10 the department shall refund any overpayments made in the previous May and any company required to pay annually that has underpaid in the previous May shall pay the difference between the amount owed and the amount paid. Companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before November 10.

SECTION 1271. 76.28 of the statutes is created to read:

**76.28 License fee for light, heat and power companies.** (1) DEFINITIONS. In this section:

(a) "Apportionment factor" means a fraction the numerator of which is the sum of the property factor, the payroll factor and the sales factor and the denominator of which is the number 3.

(b) "Book cost of utility plant" has the meaning set forth in the uniform system of accounts established by the public service commission.

(c) "Department" means the department of revenue.

(d) "Gross revenues" means total operating revenues as reported to the public service commission except revenues for interdepartmental sales and for interdepartmental rents as reported to the public service commission and deductions from the sales and use tax under s. 77.61 (4).

(e) "Light, heat and power companies" means any person, association, company or corporation, including corporations described in s. 66.069 (2) and except only business enterprises carried on exclusively either for the private use of the person, association, company or corporation engaged in them, or for the private use of a person, association, company or corporation owning a majority of all outstanding capital stock or who control the operation of business enterprises and except cooperative associations taxed under s. 76.48 that engage in any of the following businesses:

1. Generating and furnishing gas for lighting or fuel or both.
2. Supplying water for domestic or public use or for power or manufacturing purposes.
3. Generating, transforming, transmitting or furnishing electric current for light, heat or power.

4. Generating and furnishing steam or supplying hot water for heat, power or manufacturing purposes.

(f) "Payroll factor" means a fraction the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period, except that compensation solely related to the production of nonoperating revenues shall be excluded from the numerator and denominator of the payroll factor and except that compensation related to the production of both operating and nonoperating revenue shall be partially excluded from the numerator and denominator of the payroll factor so as to exclude as near as possible the portion of compensation related to the production of nonoperating revenue. Compensation is paid in this state if the individual's service is performed entirely within this state, or if the individual's service is performed both within and outside this state but the service performed outside this state is incidental to the individual's service within this state, or if some of the service is performed in this state and the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in this state or the base of operations or the place from which the service is directed or controlled is not in any state in which part of the service is performed and the individual's residence is in this state.

(g) "Property factor" means a fraction the numerator of which is the average book cost of utility plant located in this state for the tax period and the denominator of which is the average book cost of utility plant located everywhere for the tax period. The average book cost of utility plant shall be determined by averaging the beginning and year end balances at original cost, including construction work in progress, but the secretary of revenue may require the averaging of monthly book costs during the tax period if that is reasonably required to reflect properly the average value of the taxpayer's property.

(h) "Sales factor" means a fraction the numerator of which is the taxpayer's total sales of electricity, gas, water and steam in this state reported to the public service commission for the tax period and the denominator of which is the taxpayer's total sales of electricity, gas, water and steam everywhere as reported to the public service commission for the tax period.

(i) "Tax period" means the calendar year preceding the year for which the license fee is assessed.

(2) IMPOSITION. (a) There is imposed on every light, heat and power company an annual license fee to be assessed by the department on or before May 1, 1985, and every May 1 thereafter measured by the gross revenues of the preceding year at the rates and by the methods set forth under pars. (b) to (d). The fee shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. Payment in full of the May 1 assessment constitutes a license to carry on business for the 12-month period commencing on the preceding January 1.

(b) For private light, heat and power companies, for 1985, an amount equal to the apportionment factor multiplied by the sum of:

1. Gross revenues from the sale of gas services multiplied by 0.47%; and
2. All other gross revenues multiplied by 1.63%.

(c) For private light, heat and power companies for 1986 and thereafter, an amount equal to the apportionment factor multiplied by the sum of:

1. Gross revenues from the sale of gas services multiplied by 0.97%; and
2. All other gross revenues multiplied by 3.19%.

(d) For municipal light, heat and power companies, an amount equal to the gross revenues, except gross revenues from operations within the municipality that operates the company, multiplied by the rates under par. (b) or (c).

(3) **PAYMENTS.** (a) On or before May 10, 1985, each light, heat and power company shall pay to the department a license fee for 1985 as imposed under sub. (2).

(b) Beginning with calendar year 1985, a portion of the license fees imposed under sub. (2) shall be paid to the department on an estimated basis. Payment of 45% of the total estimated liability of the May 1, 1986, assessment is due on or before May 10, 1985. Thereafter, remittance of an instalment of 45% of the estimated assessment for the succeeding calendar year shall be due on or before May 10 of the current year.

(c) With respect to the May 1, 1986, license fee imposed under sub. (2) and each May 1 assessment thereafter, each light, heat and power company shall, on May 10, 1986, and each May 10 thereafter, pay or be credited an amount which is equal to the difference between the May 1 assessment and the instalment payment made in the preceding calendar year. The additional amount shall be added to the instalment due on May 10. If there has been an overpayment the amount of the overpayment shall be credited to the instalment due May 10. If any light, heat and power company fails to make an instalment payment of either 50% of the amount that would have been assessed for the current year had the current year's license fee been calculated at the rate specified under sub. (2) for the subsequent year, or 45% of the assessed liability for the subsequent calendar year, the amount not paid when due shall become delinquent and shall be subject to interest at the rate of 1.5% per month on the amount of the underpayment until paid.

(d) Light, heat and power companies with a liability under this section of less than \$2,000 are not required to make an instalment payment but shall pay the full amount of the license fees due on or before May 10 of the year of assessment.

(4) **REDETERMINATION.** The procedures for redetermination that apply to telephone companies under s. 76.38 (12) apply to light, heat and power companies in regard to the fee under this section.

(5) **REMEDIES.** The remedies that apply to telephone companies under s. 76.38 (13) apply to light, heat and power companies in regard to the fee under this section.

(6) **ADMINISTRATION.** The administrative provisions that apply to telephone companies under s. 76.38 (9) to (11) apply to light, heat and power companies in regard to the fee under this section.

(7) **REPORTS.** Every light, heat and power company shall, on or before March 1 in each year, make and return to the department in the form and upon the blanks the department prescribes a true statement of the operation of its business during the preceding calendar year, including provision of the "amount shown in the account plus leased property" for purposes of the payment to municipalities and counties under s. 79.04. That statement shall be certified by the president and treasurer of the company or 2 of the company's principal officers. For sufficient reason shown, the department may, upon written request, allow any further time for making and filing the report that it deems necessary but not to exceed 30 days. If any company fails to file that report within the time prescribed or as extended under this subsection, the department shall add to the taxes due from that company \$25, and no company may contest the imposition of that penalty in any action or proceeding.

(8) **TRANSFER OF OWNERSHIP.** If any light, heat or power company discontinues service through sale, merger or abandonment of its property or otherwise, the company acquiring that property or undertaking to provide service in the area of the former company shall assume the license fees due under this section, but the liability of the acquiring company is limited to those license fees which have accrued from January 1 of the previous calendar year to the date of the order of the public service commission approving the sale, merger or discontinuance of service.

(9) **PROPERTY SUBJECT TO LOCAL TAX.** The license fees imposed by this section upon the gross revenues of light, heat and power companies as defined in sub. (1) (e) shall be in lieu of all other taxes on all property used and useful in the operation of the business of

such companies in this state, except that the same shall be subject to special assessments for local improvements. If a general structure is used and useful in part in the operation of the business of those companies in this state and in part for nonoperating purposes, the license fees imposed by this section are in place of the percentage of all other taxes on the property that fairly measures and represents the extent of the use and usefulness in the operation of the business of those companies in this state, and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements. Property defined in s. 76.02 (11) shall not be taxed under this section, but shall be subject to local assessment and taxation.

(10) STANDING TO CHALLENGE ASSESSMENT. In case any light, heat or power company fails to make a report as required by sub. (7) within the time required, the department may enter an assessment against that company in a sum representing the approximate amount of the license fees, together with penalties and interest, for which that company may be liable as estimated by the department. Notice of that assessment shall be given by registered mail, and unless a report conforming to the requirements of this section is filed within 15 days of that notice, that estimated assessment shall become final. Thereafter the light, heat or power company assessed shall be forever barred from questioning the correctness of the assessment in any action or proceeding.

(11) PAYMENT BEFORE CONTESTING. No action or proceeding, except a petition for redetermination under sub. (4), may be brought by a light, heat or power company against this state to contest any assessment of a tax under this section unless the taxpayer first pays to this state the amount of tax assessed. If the taxpayer prevails in an action or proceeding, this state shall settle with the taxpayer, including payment of interest at 9% per year on the amount of the money paid from the date of payment until the date of judgment.

SECTION 1272. 76.38 (3) of the statutes is amended to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), (5) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each telephone company of the amount of the license fee assessed. ~~On or before May 15 of each year, the license fees shall be paid to the department.~~ The fees shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days. ~~Upon payment in full as determined by the May 1 assessment of the license fees prescribed in this section, each telephone company shall receive a receipt from the department which shall constitute a license to carry on its business for the 12 month period commencing with May 15 or May 10 as the case may be except that the receipt received by each telephone company with respect to the May 15, 1976, payment date shall constitute a license to carry on its business for a period commencing May 15, 1976, and ending May 10, 1977. With respect to the license fees assessed May 1, 1977, and each May 1 thereafter the~~ The payment dates provided for in sub. (3a) shall apply.

SECTION 1273. 76.38 (3a) of the statutes is amended to read:

76.38 (3a) ~~Beginning with the calendar year 1976, the~~ The license fees prescribed by this section shall be paid to the department on an estimated basis. ~~Payment of the first instalment for 50% of the total estimated liability of the May 1, 1977, assessment is due on or before May 10, 1976, and payment of semiannual instalments of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and November 10, 1976. Thereafter, remittances~~ Remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10, and November 10 of the current year. With respect to the ~~May 1, 1977,~~ license fee assessment under sub. (3) and ~~each May 1 assessment thereafter,~~ each telephone company shall on ~~May 10, 1977, and each May 10 thereafter~~ pay or be credited an amount

which is equal to the difference between the May 1 assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. ~~The semiannual instalments may be reduced by a proportional share of the property tax credits provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. The receipt received by each telephone company with respect to the May 10, 1977, payment date and each May 10 payment date thereafter shall constitute the license provided by sub. (3).~~ If any telephone company fails to make semiannual payments of at least 50% of either the total assessed liability less tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year or 80% ~~45%~~ of the actual assessed liability computed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). ~~Commencing with calendar year 1979 and thereafter companies~~ Companies with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 1274. 76.39 (3) of the statutes is amended to read:

76.39 (3) Every railroad company operating in this state shall file annually with the department, on or before March 15, on a form prepared by the department, a true and accurate statement of all rentals paid to each car line company during the previous calendar year and shall remit to the department the amount of the tax required to be withheld under sub. (2). Every car line company, which during the previous calendar year has received gross earnings in this state from a source other than a railroad company operating in this state, shall, on or before March 15, on a form prepared by the department, file with the department a true and accurate statement of such gross earnings in this state and the name of the company from which received and shall remit to the department the amount of the tax imposed under sub. (2) on such gross earnings in this state. ~~With respect to remittance due subsequent to March 15, 1976, the~~ The payment dates provided for in sub. (3a) shall apply. Upon written request received by the department before March 15, the department may grant an extension of not to exceed 30 days for the filing of the report and the payment of the taxes levied in this section. If any railroad company or car line company fails to file such report when due, or as extended by the department, unless it is shown that the failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount required to be shown as gross earnings tax on the report 5% of the amount thereof if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. If any railroad company or car line company fails to pay all taxes due within the time prescribed or as extended by the department, the unpaid taxes shall be delinquent, and shall be subject to interest under sub. (4). All taxes, late filing fees, penalties and interest shall be deposited in the general fund.

SECTION 1275. 76.39 (3a) of the statutes is amended to read:

76.39 (3a) ~~Beginning with the calendar year 1976, tax~~ Tax due under this section shall be paid to the department on an estimated basis. Payments of semiannual instalments of the total estimated liability for the calendar year ~~1977 and thereafter~~ shall be due on or before May 10 and November 10 of the year prior to assessment. ~~On May 10, 1977, and on every May 10 thereafter~~ each railroad company and car line company shall pay any additional amounts due or be credited for any overpayment based upon the actual liability of the current year. If any railroad company or car line company fails to make semi-

annual payments of at least 50% of either the actual tax liability for the current calendar year or ~~80%~~ 45% of the actual tax liability for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (4) (c). ~~Commencing with calendar year 1979 and thereafter companies~~ Companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before May 10 of the year of assessment.

SECTION 1276. 76.48 (3) of the statutes is amended to read:

76.48 (3) On or before ~~June~~ May 1 in each year, the department of revenue shall compute and assess the license fees provided for in sub. (1) and certify the amounts due to the state treasurer and file a duplicate thereof with the department of administration. The department shall notify each association of the amount of the license fees so assessed. ~~On or before July 10 in each year, the fees shall be paid to the department and, upon collection, shall be forwarded to the state treasurer, except that for the year 1976 and thereafter the department shall compute and assess the fees on or before May 1 and the fees due for the year 1976 shall be paid on or before May 10, 1976.~~ The fees shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month on the amount of license fee until paid. The interest shall be collected by the department and, upon collection, forwarded to the state treasurer and retained by the state. ~~With respect to taxes assessed for the year 1977 and thereafter the~~ The payment dates provided for in sub. (3a) shall apply.

SECTION 1277. 76.48 (3a) of the statutes is amended to read:

76.48 (3a) ~~Beginning with the calendar year 1976, license~~ License fees due under this section shall be paid to the department on an estimated basis. ~~Payment of the first instalment for 50% of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and the remaining 50% on November 10, 1976. Thereafter, payments~~ Payments of semiannual instalments of the estimated tax liability for the subsequent year shall be due on or before May 10 and November 10 of the current year. With respect to the ~~May 1, 1977,~~ license fee assessment under sub. (3) and ~~each May 1 assessment thereafter,~~ each association shall on ~~May 10, 1977,~~ and each May 10 thereafter pay or be credited an amount which is equal to the difference between the ~~May 1~~ assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10. If there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. ~~The semiannual instalments may be reduced by a proportional share of the property tax credits provided by s. 79.10 (1a) (e), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (e), 1979 stats., and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made in the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10.~~ If any association fails to make semiannual payments of at least 50% of either the actual tax assessed ~~less tax credit under s. 79.10 (1a) (e), 1979 stats.,~~ for the current calendar year or ~~80%~~ 45% of the actual tax assessed ~~before applying the tax credit under s. 79.10 (1a) (e), 1979 stats.,~~ for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). ~~Commencing with calendar year 1979 and thereafter associations~~ Associations with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 1278. 76.48 (4) of the statutes is amended to read:

76.48 (4) All license fees provided in sub. (1) shall be deposited in the general fund for use of the state, ~~except that until June 30, 1977, 100% of the fees shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79. For~~

~~purposes of distributions to municipalities and counties in July and November 1976 and July 1977 under subch. I of ch. 79, the allocation under this subsection to the municipal and county shared tax account shall be in the amount of the license fees such associations would have paid to the state if the provision for semiannual payments under sub. (3a) had not been enacted.~~

SECTION 1279. 76.66 of the statutes is amended to read:

**76.66 Increase of fee of foreign insurer.** Whenever the laws of any other state or of any foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof require of insurers organized under the laws of this state and doing business in such state or foreign country or of their agents, any deposit of securities for the protection of their policyholders or otherwise, or any payment of taxes, fines, penalties, certificates of authority, license fees, fire marshall taxes or otherwise, greater than the amount required by the laws of this state for the same purposes from similar insurers organized under the laws of such other state or foreign country and doing business in this state, or shall impose other obligations, prohibitions or restrictions additional to or in excess of those imposed by the laws of this state upon insurers of such other state or foreign country or their agents, then all such insurers of such other states or foreign country doing business within this state shall make the same deposit with the state treasurer and shall pay the state treasurer the same sum for taxes, fines, penalties, certificates of authority, license fees, fire marshall taxes or otherwise, and the same obligations, prohibitions or restrictions of whatever kind shall be imposed upon them and their agents as a condition to the issuance of a license to them, as is required to be made or paid or is imposed upon insurers of this state or their agents by the laws of such other state or foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof. This section does not apply to special purpose obligations or assessments in connection with particular kinds of insurance except as specifically provided by statute.

SECTION 1280. 76.67 of the statutes is amended to read:

**76.67 Nondomestic insurers; reciprocal taxation.** When any domestic insurer is licensed to transact insurance in any other state, like insurers from the other state, territory or district shall pay no other or greater taxes, fees or licenses than are or would lawfully be imposed upon and collected from like insurers of this state by such other state, territory or district. The amount of the taxes or fees paid by insurers subject to ss. 76.65, 601.31 and 601.93 shall not be less than the amount required and applied as provided in those sections, and the amount of the taxes paid by insurers under s. 76.60 shall not be less than .375% on the amount of the gross premiums received for direct insurance, less the deductions provided in s. 76.62, by the insurers during the preceding year in this state. This section does not apply to alien insurers, as defined in s. 600.03 (2). This section does not apply to special purpose obligations or assessments in connection with particular kinds of insurance except as specifically provided by statute.

SECTION 1281. 77.255 of the statutes is created to read:

**77.255 Exemptions from return.** No return is required with respect to conveyances exempt under s. 77.25 (1), (2), (4) or (11) from the fee imposed under s. 77.22.

SECTION 1282. 77.26 of the statutes is created to read:

**77.26 Powers of investigation, additional fees, refunds, penalties.** (1) The department of revenue may examine any records of any party to a conveyance to determine the real estate transfer fee due and the accuracy of the return submitted.

(2) If the department of revenue determines that the amount of the real estate transfer fee reported was in error or that an exemption was improperly claimed, the department shall compute the additional transfer fee to be paid by, or the amount of the overpayment of transfer fee to be refunded to, the grantor.

(3) All additional assessments and claims for refund are subject to the applicable notice provisions and procedures for review, final determination and collection provided for additional income tax assessments and claims for refund under ch. 71.

(4) The department of revenue shall collect additional real estate transfer fees and divide the amount collected with the appropriate county in the proportion under s. 77.24.

(5) In the case of overpayment of transfer fees by any grantor under sub. (2), the department of revenue shall certify the overpayment to the department of administration for payment of the refund to the grantor.

(6) The department of revenue shall notify the appropriate county treasurer of any refund paid by the state, and the appropriate county treasurer shall increase the county's next payment to the state to reimburse the state for the county's share of the refund.

(7) No person may make additional assessments of transfer fees or claim a refund of excess transfer fees paid after 4 years have elapsed from the date the transfer fee was due under s. 77.22.

(8) If the department of revenue determines that the value reported on the return under s. 77.22 is understated by 25% or more or that an exemption was improperly claimed under s. 77.25, the department shall assess and collect a penalty of \$25 or 25% of the additional fee due, whichever is greater, in the manner that additional transfer fees are collected.

SECTION 1282c. 77.51 (4) (L) of the statutes is created to read:

77.51 (4) (L) Transfers by a service provider of tangible personal property in conjunction with but not incidental to the selling, performing or furnishing of any service, and transfers by a service provider selling, performing or furnishing services under s. 77.52 (2) (a) 7, 10, 11 and 20. This subsection does not apply to s. 77.51 (18).

SECTION 1282g. 77.51 (7) (e) of the statutes is created to read:

77.51 (7) (e) A person selling tangible personal property to a service provider who transfers the property in conjunction with the selling, performing or furnishing of any service and the property is incidental to the service, unless the service provider is selling, performing or furnishing services under s. 77.52 (2) (a) 7, 10, 11 and 20. This subsection does not apply to s. 77.51 (18).

SECTION 1282ga. 77.51 (7) (f) of the statutes is created to read:

77.51 (7) (f) A service provider who transfers tangible personal property in conjunction with but not incidental to the selling, performing or furnishing of any service and a service provider selling, performing or furnishing services under s. 77.52 (2) (a) 7, 10, 11 and 20. This subsection does not apply to s. 77.51 (18).

SECTION 1282h. 77.51 (10) (a) of the statutes is amended to read:

77.51 (10) (a) Isolated and sporadic sales of tangible personal property or taxable services where the infrequency, in relation to the other circumstances, including the sales price and the gross profit, support the inference that the seller is not pursuing a vocation, occupation or business or a partial vocation or occupation or part-time business as a vendor of personal property or taxable services. No sale of any tangible personal property or taxable service may be deemed an occasional sale if at the time of such sale the seller holds or is required to hold a seller's permit, except that this provision shall not apply to an organization required to hold a seller's permit solely for the purpose of conducting bingo games or for the purpose of selling raffle contest tickets.

SECTION 1282j. 77.51 (10) (c) of the statutes, as affected by 1983 Wisconsin Act .... (Assembly Bill 294), is amended to read:

77.51 (10) (c) Sales of admissions or tickets by a neighborhood association, church, civic group, garden club, social club or similar organization to an event, including a meal, not involving professional entertainment, conducted by such organization, when such organization is not engaged in a trade or business and not otherwise required to have a seller's permit, and when no more than 3 such events were conducted by the organization in the previous calendar year and no more than 3 are anticipated during the current calendar year and such events do not fall on more than 9 different days or 9 consecutive 24-hour periods within the calendar year.

SECTION 1282n. 77.51 (15) of the statutes is renumbered 77.51 (15) (a).

SECTION 1282na. 77.51 (15) (b) of the statutes is created to read:

77.51 (15) (b) In this subsection "enjoyment" includes a purchaser's right to direct the disposition of property, whether or not the purchaser has possession of the property. "Enjoyment" also includes, but is not limited to, having shipped into this state by an out-of-state supplier printed material which is designed to promote the sale of property or services, or which is otherwise related to the business activities, of the purchaser of the printed material or printing service.

SECTION 1282o. 77.51 (24) of the statutes is renumbered 77.51 (24) (a) and amended to read:

77.51 (24) (a) With respect to the services ~~covered by~~ subject to tax under s. 77.52 (2), no part of the charge for the service may be deemed a sale or rental of tangible personal property if the property transferred by the service provider is incidental to the selling, performing or furnishing of the service, except as provided in par. (b).

SECTION 1282p. 77.51 (24) (b) of the statutes is created to read:

77.51 (24) (b) With respect to the services subject to tax under s. 77.52 (2) (a) 7, 10, 11 and 20, all property physically transferred to the customer in conjunction with the selling, performing or furnishing of the service is a sale of tangible personal property separate from the selling, performing or furnishing of the service.

SECTION 1282q. 77.51 (27) of the statutes is renumbered 77.51 (27) (intro.) and amended to read:

77.51 (27) (intro.) For purposes of s. 77.54 (6) (a) "manufacturing" is the production by machinery of a new article with a different form, use and name from existing materials by a process popularly regarded as manufacturing. "Manufacturing" includes but is not limited to:

SECTION 1282qm. 77.51 (27) (a) to (c) of the statutes are created to read:

77.51 (27) (a) Crushing, washing, grading and blending sand, rock, gravel and other minerals.

(b) Ore dressing, including the mechanical preparation, by crushing and other processes, and the concentration, by flotation and other processes, of ore, and beneficiation, including but not limited to the preparation of ore for smelting.

(c) Mixing and processing if performed in mobile units mounted on trucks or trailers.

SECTION 1282s. 77.51 (29) of the statutes is created to read:

77.51 (29) For purposes of s. 77.51 (4) (L), (7) (e) and (f) and (24) (a) "incidental" means depending upon or appertaining to something else as primary; something necessary, appertaining to, or depending upon another which is termed the principal; something incidental to the main purpose of the service. Tangible personal property transferred by a service provider is incidental to the service if the purchaser's main purpose or objective is to obtain the service rather than the property, even though the property may be necessary or essential to providing the service.

SECTION 1282u. 77.51 (30) of the statutes is created to read:

77.51 (30) In this chapter “newspaper” means those publications which are commonly understood to be newspapers and which are printed and distributed periodically at daily, weekly or other short intervals for the dissemination of current news and information of a general character and of a general interest to the public. In addition, any publication which qualifies as a newspaper under s. 985.03 (1) is a newspaper. “Newspaper” also includes advertising supplements if they are printed by a newspaper and distributed as a component part of one of that newspaper’s publications or if they are printed by a newspaper or a commercial printer and sold to a newspaper for inclusion in publications of that newspaper. A “newspaper” does not include handbills, circulars, flyers, or the like, advertising supplements not described in this subsection which are distributed with a newspaper, nor any publication which is issued to supply information on certain subjects of interest to particular groups, unless such publication otherwise qualifies as a newspaper within this subsection. In this subsection, advertising is not considered news of a general character and of a general interest.

SECTION 1282x. 77.52 (2) (a) 2 of the statutes is amended to read:

77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment or recreational events or places, the sale, rental or use of regular bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies to players, the sale of raffle contest tickets and the furnishing, for dues, fees or other considerations, the privilege of access to clubs or the privilege of having access to or the use of amusement, entertainment, athletic or recreational devices or facilities.

SECTION 1283. 77.52 (11) (b) of the statutes is amended to read:

77.52 (11) (b) Any person who receives a notice under sub. (10) (b) may, within 10 days after receipt thereof, but not thereafter, petition the department for a review of the decision not to renew the permit. The petition is timely if it fulfills the requirements under s. 77.61 (14). If the permittee so petitions, the permit shall remain valid until 10 days after the petitioner receives the department’s decision. Within 10 days after receipt of the petition, the department shall notify the petitioner of the time and place for a hearing. At the hearing, the petitioner may appear in person or by counsel or both and may present statements, testimony, evidence and argument showing why the department’s action to not renew the permit should be reversed. After the hearing, the department shall issue a decision in writing and serve it upon the petitioner by certified mail.

SECTION 1284d. 77.54 (2m) of the statutes is created to read:

77.54 (2m) The gross receipts from the sales of and the storage, use or other consumption of tangible personal property or services that become an ingredient or component of shoppers guides, newspapers or periodicals or that are consumed or lose their identity in the manufacture of shoppers guides, newspapers or periodicals, whether or not the shoppers guides, newspapers or periodicals are transferred without charge to the recipient. In this subsection, “shoppers guides”, “newspapers” and “periodicals” have the meanings under sub. (15). The exemption under this subdivision does not apply to advertising supplements that are not newspapers.

SECTION 1284m. 77.54 (7) of the statutes is amended to read:

77.54 (7) The occasional sales of tangible personal property and services and the storage, use or other consumption in this state of tangible personal property, the transfer of which to the purchaser is an occasional sale. This exemption shall, in the case of motor vehicles, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft registered or titled, or required to be registered or titled, in this state, and boats registered or titled, or required to be registered or titled, in this state or under the laws of the United States, be limited to motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft transferred to the spouse, parent or child of the transferor, and to motor vehicles transferred from the transferor’s individual ownership to a corporation owned solely by the transferor, and

then only if the motor vehicle, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or aircraft has been previously registered or titled in this state or in the case of boats, registered or titled under the laws of this state or the United States, in the name of the transferor and the person selling is not engaged in the business of selling the type of property for which exemption is claimed. This exemption does not apply to gross receipts from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards or to gross receipts from the sale of tickets to raffle contests.

SECTION 1284n. 77.54 (9a) (intro.) of the statutes is amended to read:

77.54 (9a) (intro.) The gross receipts from sales to, and the storage by, use by or other consumption of tangible personal property and taxable services by:

SECTION 1284nm. 77.54 (14m) of the statutes is created to read:

77.54 (14m) The gross receipts from the sale or rental of and the storage, use or other consumption in this state of equipment used to administer oxygen for medical purposes by a person who has a prescription for oxygen written by a person authorized to prescribe oxygen.

SECTION 1284np. 77.54 (15) of the statutes is amended to read:

77.54 (15) The gross receipts from the sale of and the storage, use or other consumption of all newspapers and, of periodicals sold by subscription and regularly issued at average intervals not exceeding 3 months and of shoppers guides which distribute no less than 48 issues in a 12-month period. In this subsection, "shoppers guide" means a community publication delivered, or attempted to be delivered, to most of the households in its coverage area without a required subscription fee, which advertises a broad range of products and services offered by several types of businesses and individuals.

~~SECTION 1284p. 77.54 (31) of the statutes is created to read:~~

~~77.54 (31) The gross receipts from the sales of and the storage, use or other consumption of toilet tissue and toothpaste if those products are sold by a retail food store of the type included in industry number 541 of the standard industrial classification manual prepared by the federal office of management and budget.~~

**Vetoed  
in Part**

SECTION 1285m. 77.59 (2) of the statutes is amended to read:

77.59 (2) The department may, by field audit, determine the tax required to be paid to the state or the refund due to any person under this subchapter. The determination may be made upon the basis of the facts contained in the return being audited or upon any other information in the department's possession. The determination may be made on the basis of sampling, whether or not the person being audited has complete records of transactions and whether or not the person being audited consents. The department may examine and inspect the books, records, memoranda and property of any person in order to verify the tax liability of that person or of another person. The department may subpoena any person to give testimony under oath before it and to produce whatever books, records or memoranda are necessary in order to enable the department to verify the tax liability of that person or of another person. The determination shall be presumed to be correct and the burden of proving it to be incorrect shall be upon the person challenging its correctness. A determination by the department in a field audit becomes final at the expiration of the appeal periods provided in sub. (6), and the tax liability of the taxpayer for the period audited may not be subsequently adjusted except as provided in sub. (8). If the taxpayer files or is required to file more than one return for the taxpayer's fiscal year or for a calendar year, the determination made by field audit for that fiscal or calendar year shall be based on the receipts, purchases, deductions and exemptions for the entire fiscal or calendar year.

SECTION 1286. 77.59 (3) (intro.) of the statutes is amended to read:

77.59 (3) (intro.) No determination of the tax liability of a person may be made unless written notice of the determination is given to the taxpayer within 4 years after the due date of the taxpayer's Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year, or within 4 years of the date any sales and use tax return required to be filed for any period in that year was filed, whichever is later. The notice required under this paragraph shall specify whether the determination is an office audit determination or a field audit determination, and it shall be ~~served personally or by registered or certified mail~~ in writing. If the department is unable to obtain ~~personal service or service by registered or certified~~ mail, publication of it as a class 3 notice, under ch. 985, shall be service of notice in any case where notice is required under this subchapter.

SECTION 1286m. 77.60 (1) (a) of the statutes is amended to read:

77.60 (1) (a) Except as provided in par. (b), unpaid taxes shall bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes shall bear interest at 9% per year from the due date of the return until the first day of the month following the month in which the taxes are refunded to the date on which the refund is certified on the refund rolls. An extension of time within which to file a return shall not extend the due date of the return for purposes of interest computation.

SECTION 1287. 78.01 (1) of the statutes is amended to read:

78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax of ~~43~~ 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under s. 78.015 is imposed on all motor fuel sold, used or distributed in this state except as otherwise provided in this chapter. The motor fuel tax is to be computed and paid as provided in this chapter. Except as otherwise provided in this chapter, the wholesaler, as defined in s. 78.08, shall collect from the purchaser and the purchaser shall pay to the wholesaler the tax imposed by this section on each sale of motor fuel by the wholesaler at the time of the sale, irrespective of whether the sale is for cash or on credit. In each subsequent sale or distribution of motor fuel on which the tax has been collected as provided in this subsection, the tax collected shall be added to the selling price so that the tax is paid ultimately by the user of the motor fuel.

SECTION 1288. 78.015 of the statutes is created to read:

**Vetoed in Part** 78.015 Annual adjustment of tax rate. (1) Beginning in 1985 ~~and ending in 1988~~, on or before April 1 the department shall recompute and publish the rate for the tax imposed under s. 78.01 (1) and the rate under s. 78.14. The new rate per gallon shall be calculated by multiplying the rate in effect at the time of the calculation by an amount obtained by multiplying the amount under sub. (2) by the amount under sub. (3).

(2) Divide the highway maintenance cost index, as computed by the federal department of transportation, federal highway administration, for the year prior to the year during which the calculation is made by that index for the year that is 2 years prior to the year during which the calculation is made.

(3) Divide the number of gallons of motor fuel and special fuel sold in this state, as estimated by the department, during the year 2 years prior to the year during which the calculation is made minus any shrinkage allowed by the department by the number obtained by subtracting from the number of gallons of motor fuel and special fuel sold in this state, as estimated by the department, during the year prior to the year during which the calculation is made any shrinkage allowed by the department.

(4) The rate calculated under this section shall be rounded to the nearest 0.1 cent.

**Vetoed in Part** (5) The rate calculated under this section is effective on the April 1 after the calculation ~~in 1985 and on the July 1 after the calculation in 1986 and thereafter.~~

SECTION 1289. 78.07 (1) (b) of the statutes is amended to read:

78.07 (1) (b) Shall be deemed received by a wholesaler licensed under s. 78.09 (1), other than the aforementioned person, at the time and place of withdrawal ~~when withdrawn in 4,000 gallon lots or more and shipped or delivered to such wholesaler's licensed place of business, or if shipped or delivered to an unlicensed place of business shall be deemed received by the wholesaler licensed under s. 78.09 (1) for whose account such shipment or delivery is made to the unlicensed place of business; or~~

SECTION 1290. 78.14 of the statutes is amended to read:

**78.14 Tax paid is public money.** Every wholesaler who sells or distributes any motor fuel for any purpose in this state shall collect from the purchaser at the time of the sale or distribution ~~13 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under s. 78.015~~ on all motor fuel sold or distributed. All sums paid by the purchaser to the wholesaler as taxes upon the motor fuel, upon which the tax imposed by this chapter has not been paid previously, are public money, the property of this state.

SECTION 1291. 78.40 (1) of the statutes is amended to read:

78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax of ~~13 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under s. 78.405~~ is imposed on the use, as defined in s. 78.44, of special fuel. The tax, with respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of delivery and shall be collected by the dealer from the special fuel user and shall be paid to the department. The tax, with respect to special fuel acquired by any special fuel user other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle, attaches at the time of the use of the fuel and shall be paid to the department by the user. The department may permit any supplier of special fuel to report and pay to the department the tax on special fuel delivered into the storage facility of a special fuel user which will be consumed for special fuel tax purposes.

SECTION 1292. 78.405 of the statutes is created to read:

**78.405 Annual adjustment of tax rate.** Beginning in 1985 ~~and ending in 1989~~, on or before April 1 the department shall adjust and publish the rate in s. 78.40 using the calculations under s. 78.015. The adjusted rate is effective on the April 1 after it is calculated ~~in 1985 and on the July 1 after the calculation in 1986 and thereafter.~~

Vetoed  
in Part

Vetoed  
in Part

SECTION 1293. 78.76 (2) of the statutes is amended to read:

78.76 (2) Every person regularly or habitually operating motor vehicles upon the public highways of any other state and using in said motor vehicles motor fuel or special fuel purchased or obtained in this state, shall be allowed a credit or refund equal to the tax on said motor fuel or special fuel actually paid to the state in which it is used, but not to exceed the tax imposed on said motor fuel or special fuel by this state, except that this subsection shall not apply to any motor vehicle going into such other state from this state with not to exceed 20 gallons of motor fuel or special fuel in its tanks or with a motor fuel or special fuel tank capacity not to exceed 20 gallons. No such credits or refund shall be allowed for taxes paid to any state which imposes a tax upon motor fuel or special fuel purchased or obtained in this state and used on the highways of such other state, and which does not allow a similar credit or refund for the tax paid to this state on motor fuel or special fuel purchased or acquired in such other state and used on highways of this state. Every person claiming a credit or refund shall, ~~within 30 days after the tax to such other state is paid,~~ file a report in such the form as is prescribed by the department, together with such the proof of the payment of the tax and of the fact that it was paid on motor fuel or special fuel purchased or obtained within this state as that the department may require requires. If the report is not filed within 90 days after the tax is paid to the other state, no credit or refund may be paid. Any such claimant not required so to do under sub. (1) shall make and file returns in the same manner and containing the same

information as required by persons to whom sub. (1) is applicable. This subsection shall supersede any provision of this chapter in conflict therewith.

SECTION 1294. 79.015 of the statutes is amended to read:

**79.015 Statement of estimated payments.** The department of revenue, on or before September 15 of each year, shall provide to each municipality and county a statement of estimated payments to be made in the next calendar year to the municipality or county under ss. 79.02 (2) (am), 79.03 (1), 79.04 and, 79.06 ~~less the amount under s. 79.025 and 79.07.~~ The statements of estimated payments for 1982, 1983, 1984 and 1985 shall include an estimate of the amount of special adjustment repayments under s. 79.085 (3) and repayments of amounts withheld under s. 79.085 (5).

SECTION 1294m. 79.02 of the statutes is repealed and recreated to read:

**79.02 Shared revenue distributions.** (1) The department of administration, upon certification by the department of revenue, shall distribute shared revenue payments to each municipality and county on the 4th Monday in July, the 3rd Monday in September and the 3rd Monday in November.

(2) (a) In this subsection, "estimated payments" means the amounts in the statement provided to the county or municipality under s. 79.015.

(b) Payments in July of 1984 shall equal 15% of the municipality's or county's estimated payments for that year. Payments in July of 1985 shall equal 20% of the municipality's or county's estimated payments for that year. Payments in July of 1986 and subsequent years shall equal 25% of the municipality's or county's estimated payments.

(c) Payments in September to each municipality and county shall equal 25% of the municipality's or county's estimated payments.

(3) Payments to each municipality and county in November shall equal that municipality's or county's entitlement to shared revenues under ss. 79.03, 79.04, 79.06 and 79.07 for the current year, minus the amounts distributed to the municipality or county in July and September.

SECTION 1295. 79.025 of the statutes is repealed.

SECTION 1295g. 79.03 (title) and (1) of the statutes are repealed and recreated to read:

**79.03 (title) Calculating per capita and aidable revenues entitlements.** (1) Each municipality and county is entitled to shared revenue, consisting of an amount determined on the basis of population under sub. (2), plus an amount determined under sub. (3).

SECTION 1295k. 79.03 (3) (a) of the statutes is amended to read:

79.03 (3) (a) The amount in the shared revenue account ~~as of the previous October 31,~~ less the payments under sub. (2) and s. 79.04, ~~and for 1982 less the amount distributed under sub. (5)~~ shall be allocated to each municipality and county in proportion to its entitlement. In this paragraph, "entitlement" means the product of aidable revenues and tax base weight.

SECTION 1295m. 79.03 (3) (b) 4. a of the statutes is amended to read:

79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality's own levy, general property taxes collected to finance the general purpose government unit, property taxes collected for sewage and sanitary districts, mobile home fees and municipal and county vehicle registration fees under s. 341.35 (1).

SECTION 1295s. 79.03 (3) (b) 4. f of the statutes is amended to read:

79.03 (3) (b) 4. f. "Tax base equalization aids" means payments received under par. (a) and s. 70.996 (1m) (c), 1977 stats. and 1979 stats., s. 79.03 (3), 1977 stats. and 1979 stats., and s. 79.16 (3), 1977 stats. and 1979 stats. For the calculation of 1982 local purpose

revenues, "tax base equalization aids" means payments that would have been received under par. (a) if \$471,395,500 had been distributed under par. (a) plus payments received under s. 70.996 (1m) (c), 1977 stats. and 1979 stats., s. 79.03 (3), 1977 stats. and 1979 stats., and s. 79.16 (3), 1977 stats. and 1979 stats.

SECTION 1295v. 79.03 (4) (c) of the statutes is amended to read:

79.03 (4) (c) Except as provided in par. (f), beginning in 1979, the amount entered into the shared revenue account for total distributions under this subchapter shall increase over the amount entered ~~for the prior year~~ into the shared revenue account for the prior year, plus the amount distributed from the appropriation under s. 20.835 (1) (f) for the prior year, by the same rate as the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, but not more than 12% or less than 5%.

SECTION 1296. 79.03 (4) (d) of the statutes is amended to read:

79.03 (4) (d) To maintain comparability for the purpose of computing the actual rate of annual increase in par. (c) and in s. 79.10 (5) (a), adjustments shall be made to reflect reclassification of tax revenues as among state general fund tax revenues and program revenue, and segregated revenue and local tax revenue appropriated under s. 20.835 (4). If a tax, or part thereof, is included in state general fund tax revenue in the most recent fiscal year, the tax, or corresponding part, shall also be included in state general fund tax revenue for the prior fiscal year. If a tax, or part thereof, is not included in state general fund tax revenue in the most recent fiscal year because of any reclassification, the tax, or corresponding part, shall be excluded from state general fund tax revenue for the prior fiscal year.

SECTION 1297. 79.03 (4) (e) of the statutes is amended to read:

79.03 (4) (e) In this subsection and in s. 79.10 (5) (a), "state general fund tax revenue" means tax revenue collected by the state except taxes classified as program revenue, and segregated revenue and local tax revenue appropriated under s. 20.835 (4).

SECTION 1298. 79.03 (4) (f) of the statutes is repealed and recreated to read:

79.03 (4) (f) In 1983, the total amount to be distributed under this subchapter is \$714,600,000. In 1984, the total amount to be distributed under this subchapter, not including the amount distributed under s. 79.07, is \$714,600,000.

SECTION 1299. 79.035 of the statutes is repealed.

SECTION 1299m. 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually, ~~on the 3rd Monday in November~~ the department of administration, upon certification by the department of revenue, shall distribute to a municipality having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. ~~76.07~~ 76.28 (2) except those described in s. 66.069 (2) or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, the following amounts, except that no distribution shall be made for a production plant if the municipality received a distribution under sub. (3), pertaining to the same production plant:

SECTION 1300m. 79.04 (1) (c) of the statutes is renumbered 79.04 (1) (c) 1 and amended to read:

79.04 (1) (c) 1. The payment for any municipality in which a production plant is located, which the public service commission certifies to the department of revenue will produce a nominal rated capacity of 200 megawatts or more, shall be no less than \$75,000 annually, except that the amount distributable to a municipality in any year shall not exceed the per capita limit specified in par. (a). Payments under this paragraph may be extended to decommissioned production plants as provided in subd. 3.

SECTION 1301. 79.04 (1) (c) 2 of the statutes is created to read:

79.04 (1) (c) 2. If a production plant is located in more than one municipality, the total payment under subd. 1 shall be apportioned according to the amounts shown on the preceding December 31 for the production plant in the account described in par. (a) for "production plant exclusive of land" within each municipality. The payment to each municipality under this subdivision shall be no less than \$15,000 annually.

SECTION 1301a. 79.04 (1) (c) 3 of the statutes is created to read:

79.04 (1) (c) 3. If a production plant with a nominal rated capacity of 200 megawatts or more is decommissioned, the \$75,000 minimum guaranteed payment under subd. 1 shall continue but diminish by \$7,500 annually until the payment under this subdivision equals zero. If the property on which is located a decommissioned production plant with a former nominal rated capacity of 200 megawatts or more is returned to the local tax roll, the minimum guaranteed payment under this subdivision shall cease in the year following the first year in which the property is taxed by a local taxing jurisdiction.

SECTION 1301b. 79.04 (2) (a) of the statutes is amended to read:

79.04 (2) (a) ~~Annually, beginning November 15, 1977,~~ the department of administration, upon certification by the department of revenue shall distribute from the shared revenue account to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. ~~76.07~~ 76.28 (2) ~~except those described in s. 66.069 (2)~~ or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, an amount determined by multiplying by 6 mills the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a town in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and by multiplying by 3 mills the first \$100,000,000 of the amount as defined in this subsection for all property within a city or village. Amounts from the accounts, plus leased property, for production plants for which sub. (3) distributions pertain, shall be excluded in computing the distribution under this subsection. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$100,000,000. The amount distributable to a county in any year shall not exceed 100 times the population of the county.

SECTION 1301d. 79.06 (1) (a) of the statutes is repealed and recreated to read:

79.06 (1) (a) If the payments to any municipality or county under s. 79.03 in 1984 are less than 90% of the combined payments to the municipality or county under s. 79.02, this section and s. 79.03 in 1983, the municipality or county has an aids deficiency. The amount of the aids deficiency is the amount by which 90% of the combined payments to the municipality or county under s. 79.02, this section and s. 79.03 in 1983 exceeds the payments to the municipality or county under s. 79.03 in 1984.

SECTION 1301h. 79.06 (1) (b) of the statutes is repealed and recreated to read:

79.06 (1) (b) If the payments to any municipality or county under s. 79.03 in 1985 or any year thereafter are less than 90% of the combined payments to the municipality or county under this section and s. 79.03 for the previous year, the municipality or county has an aids deficiency. The amount of the aids deficiency is the amount by which 90% of the combined payments to the municipality or county under this section and s. 79.03 in the previous year exceeds the payments to the municipality or county under s. 79.03 in the current year.

SECTION 1301p. 79.06 (2) (a) of the statutes is repealed and recreated to read:

79.06 (2) (a) If the payments to a municipality or county in 1984 under s. 79.03 exceed its combined payments under s. 79.02, this section and s. 79.03 in 1983 by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments in 1984 under sub. (1) (c).

SECTION 1301t. 79.06 (2) (b) of the statutes is repealed and recreated to read:

79.06 (2) (b) If the payments to a municipality or county in 1985 or any year thereafter exceed its combined payments under this section and s. 79.03 in the previous year by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments in that year under sub. (1) (c).

SECTION 1301w. 79.07 of the statutes is created to read:

**79.07 1984 minimum payment.** (1) If the total shared revenue payment to any municipality or county in 1984 under ss. 79.03 and 79.06 is less than its total payment in 1983 under ss. 79.02, 79.03 and 79.06, 1981 stats., and is less than the shared revenue payment it would have received in 1984 under ss. 79.03 and 79.06 if the total amount to be distributed under ss. 79.03, 79.04 and 79.06 was \$750,300,000, the municipality or county shall receive a shared revenue payment from the appropriation under s. 20.835 (1) (f). This payment shall equal the lesser of the following amounts, subject to proration under sub. (2):

(a) An amount equal to the municipality's or county's shared revenue payment in 1983 under ss. 79.02, 79.03 and 79.06, 1981 stats., minus the municipality's or county's payment in 1984 under ss. 79.03 and 79.06.

(b) An amount equal to the shared revenue payment the municipality or county would have received in 1984 under ss. 79.03 and 79.06 if the total amount to be distributed under ss. 79.03, 79.04 and 79.06 was \$750,300,000, minus the municipality's or county's shared revenue payment in 1984 under ss. 79.03 and 79.06.

(2) If the sum of all shared revenue payments under sub. (1) without proration exceeds \$8,600,000, each municipality and county shall receive a share of the amount appropriated under s. 20.835 (1) (f) equal to its proportionate share of the total payments made under sub. (1).

SECTION 1302. 79.08 (1) of the statutes is amended to read:

79.08 (1) If the department of administration or the department of revenue determines by ~~September~~ August 15 of the year following any distribution under this subchapter that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or a census determination under s. 16.96 (2) (dm) or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section. ~~Except as provided under sub. (4), no~~ No corrections to the elements of any distribution may be made after ~~September~~ August 15 of the year following the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution under the appropriate section of this subchapter. Any underpayment shall be corrected by increasing the subsequent year's distribution under the appropriate section of this subchapter. Corrections shall be made in the distributions to all municipalities and counties affected by the error. Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (1) (e). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 1303. 79.08 (3) of the statutes is repealed.

SECTION 1304. 79.08 (4) of the statutes is repealed.

SECTION 1304m. 79.085 (3) of the statutes is amended to read:

79.085 (3) REPAYMENT OF SPECIAL 1981 ADJUSTMENT. The department shall reduce the 1982 payment under ss. 79.02, 79.03, 79.04 and 79.06 to any municipality or county that receives a 1981 payment under sub. (2) by an amount equal to the 1981 payment under sub. (2) or an amount equal to 15% of the municipality's or county's total payment in 1982 under ss. 79.02, 79.03, 79.04 and 79.06, whichever is less. The amount of the 1981 payment under sub. (2) in excess of the amount of the reduction, as calculated under this subsection, from the 1982 payment under ss. 79.02, 79.03, 79.04 and 79.06 shall be deducted from the municipality's or county's 1983 payment under ss. 79.02, 79.03, 79.04 and 79.06, but the amount of this deduction may not exceed 15% of the total payment in 1983 under ss. 79.02, 79.03, 79.04 and 79.06. The amount of the 1981 payment under sub. (2) in excess of the amount of the reduction, as calculated under this subsection, from the 1982 payment under ss. 79.02, 79.03, 79.04 and 79.06 and the amount deducted from the 1983 payment under ss. 79.02, 79.03, 79.04 and 79.06 shall be deducted from the municipality's or county's 1984 payment under ss. ~~79.02, 79.03, 79.04 and~~ 79.06 and 79.07, but the amount of this deduction may not exceed 15% of the total payment in 1984 under ss. ~~79.02, 79.03, 79.04 and~~ 79.06 and 79.07. Any amount of the 1981 payment under sub. (2) in excess of the amounts deducted in 1982, 1983 and 1984 under this subsection shall be deducted from the municipality's or county's 1985 payment under this subchapter.

SECTION 1305. 79.10 (1) of the statutes, as affected by 1983 Wisconsin Act 2, is amended to read:

**Vetoed  
in Part**

79.10 (1) DISTRIBUTION. On the ~~first 4th~~ Monday in ~~March~~ July of each year, commencing in ~~1982~~ 1984, the amount appropriated under s. 20.835 (2) (a) shall be distributed by the department of administration to towns, villages and cities as determined under subs. (2) ~~and~~ [and] (6), ~~except that total payments under sub. (2) (a) in 1982 and total payments under sub. (2) (a) in 1983 shall be distributed on the 4th Monday in July, and except that a percentage of payments under sub. (6) in 1983 shall be distributed on the 4th Monday in July. The percentage of payments under sub. (6) that is distributed in July 1983 shall equal the quotient of \$2,500,000 divided by \$142,500,000. A percentage of payments under sub. (2) (a) in 1984 and thereafter shall be distributed on the 4th Monday in July. The percentage of payments under sub. (2) (a) that is distributed in July in 1984 and in July thereafter shall equal the quotient of total payments under sub. (2) (a) in 1983 plus \$2,500,000 divided by total payments under sub. (2) (a) in the current year and (7).~~

SECTION 1306e. 79.10 (2) (a) and (am) of the statutes, as affected by 1983 Wisconsin Act 2, are repealed and recreated to read:

79.10 (2) (a) From the appropriation under s. 20.835 (2) (a), the total amount of credits to be distributed under this subsection is:

1. In 1984, \$95,000,000.
2. In 1985, \$60,500,000.

**Vetoed  
in Part**

~~3. In 1986 and thereafter, the amount distributed under this subsection in the preceding year, plus an amount equal to 45% of the difference between the amount distributed under sub. (5) in the current year minus the amount distributed under this subchapter in the preceding year.~~

(am) In this subsection "additional school aid entitlements" of a school district means the difference generated by subtracting:

1. School aid payments to each elementary and secondary school district under s. 121.08 for the current fiscal year based on the equalized valuations under s. 121.06, estimates of membership under s. 121.004 (8), shared cost under s. 121.07 (6) and the guaranteed valuation per member under s. 121.07; from

2. School aid payments to each elementary and secondary school district under s. 121.08 for the current fiscal year based on the equalized valuations under s. 121.06, estimates of membership under s. 121.004 (8), shared cost under s. 121.07 (6) and the guaranteed valuation per member sufficient to generate without proration a sum of school aid payments to all school districts that falls within the range of .999 and 1.001 of the total amount of school aid payments calculated under subd. 1 plus the amount to be distributed under par. (a).

SECTION 1306m. 79.10 (2) (b) of the statutes is created to read:

79.10 (2) (b) Each municipality shall receive a portion of the additional school aid entitlements of each school district in which it is located. This portion equals the amount generated by:

1. Dividing the municipality's full value of taxable property, excluding value increments under s. 66.46, that is located within the school district; by

2. The school district's full value of taxable property, excluding value increments under s. 66.46; and multiplying this amount by

3. The additional school aid entitlement of the school district.

SECTION 1306s. 79.10 (2) (d) of the statutes is repealed.

SECTION 1307. 79.10 (3) (intro.) of the statutes is amended to read:

79.10 (3) TAX CREDIT. (intro.) On or before December 1 of the year preceding the distribution under sub. (1), the department of revenue shall notify the clerk of each town, village and city of the amount to be distributed to it under sub. (1) on the following ~~first Monday in March and during the following year~~ 4th Monday in July. The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits, as follows:

SECTION 1308. 79.10 (3) (a) of the statutes is repealed.

SECTION 1310. 79.10 (4) (intro.) of the statutes is created to read:

79.10 (4) (intro.) In this section:

SECTION 1311. 79.10 (4) (a) of the statutes is amended to read:

79.10 (4) (a) ~~“Computed full value rate”~~ “Property tax levies” means the ~~sum total of all general property taxes apportioned (including state, county, local and school taxes, and tax increments paid by any taxing jurisdiction under s. 66.46), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest crop taxes and woodlands taxes levied and extended by a town, village or city minus surplus funds applied against those taxes, as reported to the department of revenue in its abstract of assessments and taxes, divided by the full value of all taxable property in the municipality as equalized for state purposes under s. 70.57 including value increments under s. 66.46, and the quotient expressed in mills per dollar of valuation statement of taxes.~~ sum total of all general property taxes apportioned (including state, county, local and school taxes, and tax increments paid by any taxing jurisdiction under s. 66.46), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest crop taxes and woodlands taxes levied and extended by a town, village or city minus surplus funds applied against those taxes, as reported to the department of revenue in its abstract of assessments and taxes, divided by the full value of all taxable property in the municipality as equalized for state purposes under s. 70.57 including value increments under s. 66.46, and the quotient expressed in mills per dollar of valuation statement of taxes.

SECTION 1312. 79.10 (4) (b) of the statutes is amended to read:

79.10 (4) (b) ~~“Average computed full value rate of a municipality property tax levies”~~ means the average of the ~~computed full value rate~~ property tax levies of the 3 years preceding the assessment year to which the tax credit is to apply.

SECTION 1313. 79.10 (4) (d) of the statutes is repealed.

SECTION 1314. 79.10 (5) (a) of the statutes is amended to read:

79.10 (5) (a) ~~Thereafter~~ In 1986 and thereafter, the amount distributed under this subchapter from the appropriation under s. 20.835 (2) (a) shall increase over the amount distributed in the previous year under s. 20.835 (2) (a) by an amount equal to the ~~product of the~~ product of the distribution under s. 20.835 (2) (a) in the previous year multiplied by the percent increase in state general fund tax revenue, as defined in s. 79.03 (4) (d) and (e), in the

fiscal year ending in the calendar year preceding the distribution under this section but not less than 5% or not more than 12%.

SECTION 1316m. 79.10 (6) of the statutes, as affected by 1983 Wisconsin Act 2, is repealed and recreated to read:

79.10 (6) PROPORTIONAL DISTRIBUTIONS. From the appropriation under s. 20.835 (2) (a), the following amounts shall be distributed to municipalities in proportion to their share of statewide average property tax levies:

(a) In 1984, \$186,000,000.

(b) In 1985, \$229,100,000.

(c) In 1986 and thereafter, the amount distributed under this subsection in the preceding year, plus an amount equal to 45% of the difference between the amount distributed under sub. (5) in the current year minus the amount distributed under this subchapter in the preceding year.

**Vetoed  
in Part**

SECTION 1316n. 79.10 (7) of the statutes is created to read:

79.10 (7) AIDABLE REVENUES CREDITS. (a) From the appropriation under s. 20.835 (2) (a), the total amount of credits to be distributed under this subsection is:

1. In 1986, an amount equal to 10% of the difference between the amount distributed under sub. (5) in the current year minus the amount distributed under this subchapter in the preceding year.

2. In 1987 and thereafter, the amount distributed under this subsection in the preceding year, plus an amount equal to 10% of the difference between the amount distributed under sub. (5) in the current year minus the amount distributed under this subchapter in the preceding year.

(b) In this subsection:

1. "Additional county aidable revenue entitlements" means the difference generated by subtracting:

a. Aidable revenue payments to each county under s. 79.03 (3) for the current year, from

b. Aidable revenue payments to each county under s. 79.03 (3) for the current year if the funding level under s. 79.03 (4) were increased by the amount to be distributed under par. (a).

2. "Additional municipal aidable revenue entitlements" means the difference generated by subtracting:

a. Aidable revenue payments to each municipality under s. 79.03 (3) for the current year, from

b. Aidable revenue payments to each municipality under s. 79.03 (3) for the current year if the funding level under s. 79.03 (4) were increased by the amount to be distributed under par. (a).

(c) Each municipality shall receive its additional municipal aidable revenue entitlement, plus a portion of the additional county aidable revenue entitlement for each county in which it is located. This portion equals the amount generated by:

1. Dividing the municipality's full value of taxable property that is located in the county, by

2. The county's full value of taxable property, and multiplying this amount by

3. The additional county aidable revenue entitlement for the county.

SECTION 1317. 79.105 (title) of the statutes is amended to read:

**79.105 (title) Minimum and maximum payments.**

SECTION 1318m. 79.105 (1) (a) 1 of the statutes is amended to read:

79.105 (1) (a) 1. If the combined payments to any municipality under s. 79.10 (2) and (6) in ~~1982~~ 1984 are less than 75% of the sum of payments to the municipality in ~~1981~~ 1984 under s. 79.10 (2), 1979 stats., and the payment to the municipality in ~~1981~~ 1984 under s. 79.17 (1), 1979 stats., that was used to relieve taxes on real estate and line B personal property, as reported on the municipal treasurer's settlements sheet for the ~~1980~~ 1983 tax roll 1983 under this section and s. 79.10, the municipality has a credits deficiency for ~~1982~~ 1984. The amount of the credits deficiency is the amount by which 75% of the sum of payments to the municipality in ~~1981~~ 1984 under s. 79.10 (2), 1979 stats., and the payment to the municipality in ~~1981~~ 1984 under s. 79.17 (1), 1979 stats., that was used to relieve taxes on real estate and line B personal property, as reported on the municipal treasurer's settlements sheet for the ~~1980~~ 1983 tax roll, 1983 under this section and s. 79.10 exceeds the combined payments to the municipality under s. 79.10 (2) and (6) in ~~1982~~ 1984.

SECTION 1319m. 79.105 (1) (a) 2 of the statutes is amended to read:

79.105 (1) (a) 2. If the combined payments to any municipality under s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ in ~~1983~~ 1985 or any year thereafter are less than 90% of the combined payments to the municipality under this section and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ in ~~1982~~ the previous year, the municipality has a credits deficiency for ~~1983~~ that year. The amount of the credits deficiency is the amount by which 90% of the combined payments to the municipality in ~~1982~~ the previous year under this section and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ exceed the combined payments to the municipality under s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ in ~~1983~~ the current year. **Vetoed in Part**

SECTION 1320. 79.105 (1) (b) 1 of the statutes is renumbered 79.105 (1) (b) and amended to read:

79.105 (1) (b) A municipality that has a credits deficiency for ~~1982~~ shall receive a payment from the amounts withheld in ~~1982~~ under sub. (2) (a) ~~+~~ equal to its proportion of all credits deficiencies for ~~1982~~ deficiency.

SECTION 1321. 79.105 (1) (b) 2 of the statutes is repealed.

SECTION 1322m. 79.105 (2) (a) 1 of the statutes is renumbered 79.105 (2) (a) and amended to read:

79.105 (2) (a) If Beginning in 1984, if the combined payments to a municipality in ~~1982~~ the current year under s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ exceed the sum of its combined payments in ~~1981~~ 1984 under s. 79.10 (2), 1979 stats., plus the amount of the payments to the municipality in ~~1981~~ 1984 under s. 79.17 (1), 1979 stats., that was used to relieve taxes on real estate and line B personal property, as reported on the municipal treasurer's settlements sheet for the ~~1980~~ 1983 tax roll, by more than the maximum allowable increase for ~~1982~~ the previous year under this section and s. 79.10 ~~(2), (6) and (X)~~ multiplied by the maximum payment percentage for the current year, the excess shall be withheld to fund minimum payments in ~~1982~~ under sub. (1) (b) ~~+~~. **Vetoed in Part**

SECTION 1323. 79.105 (2) (a) 2 of the statutes is repealed.

SECTION 1324. 79.105 (2) (b) of the statutes is repealed and recreated to read:

79.105 (2) (b) In this subsection, "maximum payment percentage" means that percentage such that the sum for all municipalities of the amount by which the current year payments, as determined under s. 79.10 ~~(2), (6) and (X)~~ exceed an amount equal to the sum of the previous year's combined payments under this section and s. 79.10 ~~(2), (6) and (X)~~ multiplied by the maximum payment percentage is equal to the sum of the credits deficiencies under sub. (1) for the current year. **Vetoed in Part**

SECTION 1325m. 79.105 (3) of the statutes is amended to read:

79.105 (3) ADJUSTMENTS. Notwithstanding sub. (1) (b), if payments under sub. (1) and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ ~~(X)~~ exceed the municipality's average school property tax levies, as defined in s. 79.10 (4) ~~(d)~~ (b), then that municipality's payments for the current **Vetoed in Part**

**Vetoed  
in Part** year under sub. (1) and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ (7) shall be reduced by the amount that payments under sub. (1) and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ (7) exceed average school property tax levies, as defined under s. 79.10 (4) (d) (b). These reductions shall be distributed among only those municipalities whose average school property tax levies exceed their payments under sub. (1) and s. 79.10 (2) ~~and~~ [and] (6) ~~and~~ (7), and shall be distributed proportionately according to each municipality's share of payments under s. 79.10 (6).

SECTION 1326. 80.05 (2) (b) of the statutes is amended to read:

80.05 (2) (b) Give notice by registered mail to the department of natural resources, ~~to the department of agriculture, trade and consumer protection~~ and to the county land conservation committee in each county through which the highway may pass.

SECTION 1327. 80.39 (2) of the statutes is amended to read:

80.39 (2) NOTICE. Upon such petition the county board or the commissioners appointed by the board shall give notice of the time and place they will meet to decide on the petition. The notice shall be published as a class 2 notice, under ch. 985. The notice shall also be given to the department of natural resources ~~and the department of agriculture, trade and consumer protection~~ by serving a copy upon the secretary of natural resources ~~and by serving a copy upon the secretary of agriculture, trade and consumer protection~~ either by registered mail or personally. If the board appoints a committee to act, the notice shall state the fact and the ~~notices~~ notice shall be signed by the commissioners, otherwise by the chairman of the board.

SECTION 1327m. 84.001 (intro.) of the statutes is amended to read:

**84.001 Definitions.** (intro.) ~~In~~ As used in this chapter unless the context requires another interpretation:

SECTION 1328. 84.01 (28) of the statutes is created to read:

84.01 (28) TRANSPORTATION ADMINISTRATIVE FACILITIES. The department may acquire, construct, develop, enlarge or improve administrative or operating facilities for its use under s. 13.48 (10).

SECTION 1328m. 84.013 of the statutes is created to read:

**84.013 Highway projects.** (1) In this section:

(a) "Major highway project" means a project that results in a new or significantly altered highway and involves the continuous relocation of a highway segment 2.5 miles or more in length, the addition of traffic lanes 2.5 miles or more in length, or unusually high cost.

(b) "Reconditioning" means work in addition to resurfacing. "Minor reconditioning" includes pavement widening and shoulder paving. "Major reconditioning" includes improvement of an isolated grade, curve, intersection or sight distance problem to improve safety. Major reconditioning projects may require additional property acquisition.

(c) "Reconstruction" means total rebuilding of an existing highway to improve maintainability, safety, geometrics and traffic service. It is accomplished basically on existing alignment, and major elements may include flattening of hills and grades, improvement of curves, widening of the roadbed, and elimination or shielding of roadside obstacles. Normally reconstruction will require additional property acquisition.

(d) "Resurfacing" means placing a new surface on an existing highway to provide a better all-weather surface and a better riding surface, and to extend or renew the pavement life. It generally involves no improvement in capacity or geometrics. Resurfacing may include some elimination or shielding of roadside obstacles, culvert replacements, signals, marking, signing and intersection improvements. Usually no additional prop-

erty acquisition is required; except possible minor acquisition for drainage and intersection improvements.

(2) (a) Major highway projects shall be funded from the appropriations under ss. 20.395 (3) (aq), (bq) to (bx) and (gq) to (gx) and (5) (jq) and 20.866 (2) (ur) to (uu).

(b) Reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under s. 20.395 (3) (aq), (cq) to (cx) and (gq) to (gx).

(3) The department may proceed with construction of the following major highway projects:

(a) USH 12/18 extending easterly from the intersection with Fish Hatchery road to I 90, designated as the south Madison beltline, in Dane county.

(b) USH 18/151 between Ridgeway and Mt. Horeb in Dane and Iowa counties.

(c) STH 16 between I 94 and STH 190 in Waukesha county.

(d) USH 51 between CTH "S" and USH 8, designated as the Tomahawk bypass, in Lincoln county.

(e) USH 45 between USH 41 and CTH "D", designated as the West Bend bypass, in Washington county.

(f) USH 53 between Rice Lake and Trego in Barron and Washburn counties.

(g) STH 167 between I 43 and Buntrock avenue in Ozaukee county.

(h) STH 50 between STH 83 and I 94 in Kenosha county.

(i) STH 172 between Webster avenue and I 43 in Brown county.

(j) STH 23 between STH 32 and CTH "P" in Sheboygan county.

(k) STH 16 between Bluff Pass road and CTH "OS" in La Crosse county.

(L) USH 51 between the south Marquette county line and the north Waushara county line.

(4) In preparation for future major highway projects, the department may perform preliminary engineering and design work and studies for possible major highway projects not listed under sub. (3), but no major highway may be constructed unless the project is listed under sub. (3) or approved under sub. (6).

(5) Commencing with the 1985-87 biennial budget bill and biennially thereafter, the department shall request adjustments to the list of major highway projects under sub. (3) as listed projects are completed, projects are approved under sub. (6) and new projects are ready for construction. The department shall submit the proposed biennial adjustments for major highway projects to the transportation projects commission for review and recommendation as provided under s. 13.489.

(6) If following the enactment of the biennial budget bill the department determines that a highway project which was initially planned or designed as a reconditioning, reconstruction or resurfacing project is a major highway project and is ready for construction, the department shall submit the proposal for the specific project to the transportation projects commission for review and recommendation as provided under s. 13.489. After the transportation projects commission has submitted its report on the project, the department may request approval of the specific project as a major highway project from the joint committee on finance. If the joint committee on finance approves the project, the committee shall make such transfer of funds among the highway appropriations as deemed necessary and the department may proceed with construction.

(7) (a) No state or federal funds appropriated for the department may be expended for any highway construction, reconstruction or reconditioning which results in additional lanes on I 43 between Bender road and the north Ozaukee county line in Milwaukee and Ozaukee counties.

(b) Nothing in par. (a) prohibits expenditure of state or federal funds for maintenance or resurfacing of that portion of I 43 specified in par. (a).

(8) (a) No state or federal funds appropriated for the department may be expended for any highway construction, reconstruction or reconditioning which results in additional lanes on STH 145 between North 19th street and North 35th street in Milwaukee county.

(b) Nothing in par. (a) prohibits expenditure of state or federal funds for maintenance or resurfacing of that portion of STH 145 specified in par. (a).

SECTION 1329. 84.02 (3) (a) of the statutes is amended to read:

84.02 (3) (a) Changes may be made in the state trunk system by the department, if it deems that the public good is best served by making the changes. The department, in making the changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2 1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. The notice shall also be given to the secretary of natural resources ~~and to the secretary of agriculture, trade and consumer protection~~ either by registered mail or personally. Whenever the department decides to thus change more than 2 1/2 miles of the system the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed. Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system. The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway. Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next ensuing session of the legislature for determination.

SECTION 1329g. 84.06 (2) of the statutes is amended to read:

84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3), (4) or (5) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the department. ~~The~~ Except as provided in s. 84.075, the contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. The secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but s. 16.754 applies to the contract. Any such contract involving an expenditure of \$1,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required by s. 779.14 for any such contract involving an expenditure of less than \$1,000 is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.

SECTION 1329r. 84.075 of the statutes is created to read:

**84.075 Contracting with minority businesses.** (1) In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06 and in contracting with private contractors and agencies under s. 84.07, the department shall attempt to ensure that 5% of the total amount expended in each fiscal year is paid to contractors, subcontractors and vendors which are minority businesses, as defined under s. 16.75 (3m) (a) 1. In attempting to meet this goal, the department may award any contract to a minority business that submits a qualified responsible bid that is no more than 5% higher than the low bid.

(2) The contractor shall report to the department any amount of the contract paid to subcontractors and vendors which are minority businesses.

(3) The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors and vendors which are minority businesses under ss. 84.01 (13), 84.06 and 84.07 and the number of contacts with minority businesses in connection with proposed purchases and contracts.

SECTION 1329w. 84.09 (8) of the statutes is created to read:

84.09 (8) (a) In this subsection, "surplus land" means land under the jurisdiction of the department which is unused and not needed for department operations or included in the department's plan for construction or development.

(b) Biennially, beginning on January 1, 1984, the department shall submit to the state building commission and the joint committee on finance an inventory of surplus land containing a general description of the location and an estimated value of each parcel.

SECTION 1330. 84.11 (3) of the statutes is amended to read:

84.11 (3) HEARING. Within 60 days of the receipt of a petition under sub. (2) (a) or on its own motion, the department shall fix a time and place for a hearing and give notice of the hearing by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge project. Notice shall also be given by registered letter addressed to the clerks of the counties, cities, villages and towns in which any part of the bridge project will be located. The notice shall also be given to the secretary of natural resources ~~and to the secretary of agriculture, trade and consumer protection~~ either by registered mail or personally. The hearing may be held in any county, city, village or town in which any part of the bridge project will be located.

SECTION 1330g. 84.28 (title) of the statutes is amended to read:

**84.28 (title) State park and forest roads.**

SECTION 1330m. 84.28 of the statutes is renumbered 84.28 (2).

SECTION 1330r. 84.28 (1) of the statutes is created to read:

84.28 (1) Moneys from the appropriation under s. 20.370 (1) (mr) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park, state forest or other property under the jurisdiction of the department of natural resources. Outside the boundaries of these parks, forests or property, moneys from the appropriation under s. 20.370 (1) (mr) may be expended for the renovation, marking and maintenance of roads which the department of natural resources certifies are utilized by a substantial number of visitors to state parks, state forests or other property under the jurisdiction of the department of natural resources. The department of natural resources shall authorize expenditures under this subsection. The department of natural resources shall rank projects eligible for assistance under a priority system and funding may be restricted to those projects with highest priority.

SECTION 1331. 84.59 of the statutes is created to read:

**84.59 Funding of transportation facilities and highway projects.** (1) Transportation facilities under s. 84.01 (28) and major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

(2) The department may, under s. 18.56 (5) and (9) (j), deposit in a separate and distinct fund outside the state treasury, in an account maintained by a trustee, revenues derived under s. 341.25. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section.

(3) The secretary may pledge revenues received or to be received in the fund established in sub. (2) to secure revenue obligations issued under this section. The pledge shall provide for the transfer to this state of all pledged revenues, including any interest earned on the revenues, which are in excess of the amounts required to be paid under s. 20.395 (6) (as). The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the transportation fund and that the transferred amounts are free of any prior pledge.

(4) The department shall have all other powers necessary and convenient to distribute the pledged revenues and to distribute the proceeds of the revenue obligations in accordance with subch. II of ch. 18.

(5) The department may enter into agreements with the federal government or its agencies, political subdivisions of this state or private individuals or entities to insure or in any other manner provide additional security for the revenue obligations issued under this section.

(6) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this section shall not exceed \$187,900,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes. Not more than \$155,200,000 of the \$187,900,000 may be used for transportation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

(7) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations or in other agreements with the holders of revenue obligations, each issue of revenue obligations under this section shall be on a parity with every other revenue obligation issued under this section and in accordance with subch. II of ch. 18.

SECTION 1332. 85.01 (2) and (3) of the statutes are renumbered 85.01 (8) and (2).

SECTION 1333. 85.01 (6) of the statutes is created to read:

85.01 (6) "Railroad property" or "railroad or railway property" means rail property as defined in sub. (3).

SECTION 1334. 85.045 of the statutes is repealed.

SECTION 1334m. 85.063 (3) of the statutes is created to read:

85.063 (3) GRANTS. (a) *Legislative findings.* The legislature finds that development of urban rail transit systems to serve urban areas of this state will enhance the welfare of all of the citizens of this state through conservation of fuel, enhancement of the development of alternative transportation modes and improvement of air quality. The legislature further finds that private capital is unavailable and local government resources are insufficient for development of urban rail transit systems. The legislature finds that providing grants for the development of urban rail transit systems is consistent with the state's support of other modes of mass transit and that the grant program authorized

under this subsection is therefore a valid governmental function serving proper public purposes.

(b) *Authorized grants.* 1. Upon completion of a planning study under sub. (2), any county which includes the urban area may apply to the department for a grant for property acquisition for an urban rail transit system.

2. The department may make such grants from the appropriation under s. 20.395 (1) (bt) or (2) (bq).

SECTION 1335. 85.075 of the statutes is created to read:

**85.075 Rail program rules.** The department shall adopt rules to carry out the railroad programs under ss. 85.08 to 85.09.

SECTION 1337. 85.08 (3) (b) of the statutes is amended to read:

85.08 (3) (b) The department may cooperate with other states in connection with the ~~purchase, subsidization~~ acquisition, rehabilitation, construction or operation of any transportation properties within this state or in other states in order to carry out the purposes of this section. The department may enter into contractual arrangements for such purposes, including joint ~~purchase~~ acquisition of transportation properties with other states and entering into leases jointly with other states affected thereby.

SECTION 1339. 85.08 (4m) (b) 1m and 2 of the statutes are renumbered 85.01 (3) and (4).

SECTION 1340m. 85.08 (4m) (c) (intro.) of the statutes is amended to read:

85.08 (4m) (c) *Railroad facilities acquisition grants.* (intro.) The department may make grants to eligible applicants for the purpose of ~~purchasing~~ preserving freight rail service through the acquisition of rail property. The grant may be composed of state funds, federal funds, state property, or a any combination of state ~~and funds~~, federal funds and state property. No grant for the acquisition of rail property improvements may exceed 80% of the acquisition cost. No grant for the acquisition of rail property exclusive of rail property improvements may exceed 100% of the acquisition cost. A grant may be made to an eligible applicant before or after ~~the issuance of a certificate of public convenience and necessity by the interstate commerce commission permitting~~ abandonment of a railroad line as defined in s. 85.09 (3). No grant may be made under this paragraph for the purchase acquisition of rail property if the purchase acquisition price exceeds ~~the department's assessment of the value of the property an amount deemed reasonable by the department~~. A grant of money made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq) or (bx). The department shall administer ~~the grant~~ this program and shall have all powers necessary and convenient to implement this paragraph and par. (d), including the following powers:

SECTION 1341m. 85.08 (4m) (c) 7 of the statutes is created to read:

85.08 (4m) (c) 7. To provide technical assistance to the eligible applicant and any railroad using the rail property in a manner deemed necessary by the department.

SECTION 1342m. 85.08 (4m) (d) of the statutes is amended to read:

85.08 (4m) (d) *Railroad rehabilitation and construction grants.* The department may make grants to eligible applicants for the purpose of rehabilitating or constructing rail property improvements. Construction shall be limited to that which is required to continue rail service on a particular line or to provide alternative rail service when a line has been abandoned. A grant under this paragraph may be composed of state funds, federal funds, state property, or a any combination of state ~~and funds~~, federal funds and state property. No grant may exceed 80% of the costs of rehabilitation or construction. A grant may be made ~~either~~ before or after ~~the issuance of a certificate of public convenience and necessity by the interstate commerce commission permitting~~ abandonment of a

railroad line as defined in s. 85.09 (3). A grant made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq) or (bx).

SECTION 1343. 85.08 (4m) (g) of the statutes is created to read:

85.08 (4m) (g) *Exemption from bond requirements*. The secretary may exempt contracts involving the performance of labor or furnishing of materials for any public improvement or public work under the railroad rehabilitation and construction program of par. (d) or the advance capital program for preabandonment rail line stabilization under par. (e) from the performance and payment bond requirements of s. 779.14 if the secretary determines that:

1. Adequate guarantees or warranties are provided for by contract;
2. Adequate safeguards are provided by accounting and payment controls;
3. Adequate security is available;
4. Public benefits of proceeding with the project substantially outweigh the risk of waiving the performance and payment bond requirements of s. 779.14; and
5. The project cannot proceed in a timely and efficient manner unless the performance and payment bond requirements of s. 779.14 are waived in whole or in part.

SECTION 1344. 85.09 (1) (a) of the statutes is renumbered 85.01 (5) and amended to read:

85.01 (5) "Railroad" ~~has the meaning designated under~~ means a railroad as defined in s. 192.15 (2) (e), a railroad company as defined in s. 192.50 (7) and a railroad as defined in s. 195.02 (1).

SECTION 1345. 85.09 (1) (b) of the statutes is renumbered 85.01 (7).

SECTION 1345m. 85.09 (2) of the statutes is amended to read:

85.09 (2) FIRST RIGHT OF ACQUISITION. The department shall have the first right to acquire, for present or future transportation purposes, recreational ~~or~~ purposes, scenic purposes or for the purpose of constructing a correctional institution, any property used in operating a railroad or railway including land and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. Acquisition may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. No person owning such abandoned property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned property without first obtaining a written ~~statement~~ release from the department indicating that ~~it does not intend to exercise its right to acquire the property~~ the first right of acquisition under this subsection will not be exercised. The department of health and social services may notify the department of transportation of its interest in specific railroad property or of its interest in railroad property in certain areas of the state. The department of transportation may not issue this written release for railroad property in which the department of health and social services has notified it of an interest unless the department of health and social services authorizes the release. No railroad or railway may convey any such property prior to abandonment if that property is part of a rail line shown on the railroad's system map as in the process of abandonment, expected to be abandoned or under study for possible abandonment unless the conveyance or disposal is for the purpose of providing continued rail service under another company or agency. Any conveyance made without obtaining such release is void. The department's first right of acquisition under this subsection does not apply to any railroad property declared by the department to be abandoned before January 1, 1977. The department may acquire any abandoned property under this section regardless of the date of its abandonment.

SECTION 1346. 85.09 (3) (a) of the statutes is amended to read:

85.09 (3) (a) A certificate or approval of abandonment has been issued by the interstate commerce commission or federal court or any other federal or state agency having jurisdiction over the abandonment of the railroad or railway property and operations ~~have been terminated in accordance with the certificate or approval.~~

SECTION 1347. 85.09 (3) (c) of the statutes is repealed.

SECTION 1347g. 85.09 (4) of the statutes is amended to read:

85.09 (4) ACQUISITION AND CONVEYANCE. Upon its own initiative, the department may determine at any time whether the property of the railroad is abandoned, and whether it is in the best interest of the state to acquire such property. Within 90 days after being requested by any state agency, any railroad or any county or municipality in which the property is located, the department shall, subject to sub. (5) (b), make a determination of the abandonment status and, if found to be abandoned, shall determine whether it is in the best interest of the public to acquire the property. If it is determined to acquire the property or any part or interest therein, the department shall, within 180 days of the determination of its abandoned status, or the interstate commerce commission's final order permitting the abandonment, or the termination of any efforts to negotiate an agreement for continual operation of rail service on the line, whichever occurs last, determine the fair market value of the property and acquire the property at a price deemed reasonable by the department or make a relocation order under s. 32.05. In making its determination, the department shall consider long-range potential for use of such property for restoration of railroad service and for other transportation related purposes. The department shall solicit the opinions of appropriate state agencies, affected counties and municipalities and other interested persons. The department shall give due consideration to an expressed desire by a state agency or an affected county or municipality to acquire, in whole or in part, the property under consideration. Subject to sub. (6), all or part of any interest in abandoned property acquired by the department under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed to another state agency or a county or municipality for transportational purposes, recreational or purposes, scenic purposes or for the purpose of constructing a correctional institution, or to a railroad for continued railroad transportation operations when the railroad has operated on the property for 5 years and the department may make such conveyances for such purposes. Any determination of the department under this section that property is not abandoned shall not preclude the undertaking of a subsequent investigation and determination concerning the same property or any portion thereof. If at any time subsequent to the acquisition of property under this section the department determines that the property is not suitable for transportational purposes, recreational or purposes, scenic purposes or for the purpose of constructing a correctional institution, or that the property or any interest therein may be conveyed to any other person on terms which are not inconsistent with the potential use of the property for transportational purposes, recreational or purposes, scenic purposes or for the purpose of constructing a correctional institution or which yield a benefit, including financial benefits, to the state which outweighs the benefit derived from the property if used for transportational purposes, recreational or purposes, scenic purposes or for the purpose of constructing a correctional institution, the department may convey the property or such interest therein, subject to sub. (6). The department shall give notice of its intention to make the conveyance, and state and local units of government shall have the first 6 months in which to exercise their opportunity to acquire the property or interest therein. The railroad from which the property was acquired shall have the next 6 months in which to exercise its opportunity to reacquire the property or interest therein.

SECTION 1347r. 85.09 (4g) of the statutes is created to read:

85.09 (4g) ACQUISITION; NEW METROPOLITAN CORRECTIONAL INSTITUTION. (a) In this subsection, "new metropolitan correctional institution" has the meaning specified in s. 46.0435 (1).

(b) In any acquisition under this section for the purpose of constructing a new metropolitan correctional institution, the department of health and social services shall pay for the acquisition using a procedure agreed upon by the secretaries of health and social services and transportation. Section 32.25 need not be complied with in any such acquisition. The departments of transportation and health and social services may proceed under this section for the acquisition of property specified in s. 46.05 (1o).

SECTION 1348. 85.09 (4m) of the statutes is created to read:

85.09 (4m) **RELOCATION PLAN.** The department is exempt from s. 32.25 (1) if the department determines that acquiring railroad or railway property under this section will not result in any displaced persons as defined in s. 32.19 (2) (c). The department shall file a statement of its determinations with the department of industry, labor and human relations.

SECTION 1349. 85.095 (3) of the statutes is created to read:

85.095 (3) **PLANNING REQUIREMENTS.** (a) Except as provided in par. (c), no grant may be made under this section unless the eligible applicant submits information to the department regarding harbor projects for which the eligible applicant may request state aid under this section or federal aid, or both, during the next 3-year period. The information shall be submitted prior to the April 1 which precedes the fiscal year in which the eligible applicant seeks aid under this section.

(b) The department shall, by rule, establish the starting date of each 3-year period and the form, nature and extent of the notice required under par. (a).

(c) The department may waive the requirements under this subsection.

SECTION 1350g. 85.20 (4m) (a) of the statutes is amended to read:

85.20 (4m) (a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to ~~30%~~ 35% of the projected operating costs of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

SECTION 1350r. 85.20 (4m) (em) 1 of the statutes is amended to read:

85.20 (4m) (em) 1. ~~Thirty~~ Thirty-five percent of the audited operating expenses for the project year of the applicant's urban mass transit system; or

SECTION 1352. 85.21 (3) (c) of the statutes is amended to read:

85.21 (3) (c) To make and execute contracts with counties to ensure the provision of specialized transportation service. Payments under such contracts to eligible applicants shall not exceed the county proportionate share, except as supplemented under par. (e). ~~No such contract shall be effective for a period of more than one year in length. Contract requirements may~~ A contract under this section shall require the county to make a matching contribution of 10% 20% of the county proportionate share or the contract amount and to furnish information determined necessary by the department for periodic program monitoring and year-end auditing and evaluation. A contract may permit a county to hold aids received under this section on or after the effective date of this act (1983), in trust, according to rules promulgated by the department, for the exclusive purpose of acquiring or maintaining equipment used for services authorized under this section. All aids held in trust, as well as any accumulated interest, not expended for the authorized purposes, shall be returned to the department for deposit in the transportation fund. Nothing in this paragraph entitles a county to any investment interest accumulated prior to the time the aid payment is actually received by the county.

SECTION 1353. 86.135 of the statutes is created to read:

**86.135 Railroad highway crossings; traffic control.** All railroad companies, and their officers, agents, and employes, constructing, maintaining, or repairing railroad highway crossings shall comply with the traffic control provisions directed to the safe and expeditious movement of traffic through construction and maintenance zones and to the safety

of the work force performing these operations contained in the manual establishing a uniform system of traffic control as adopted by the department of transportation under s. 84.02 (4) (e).

SECTION 1353b. 86.30 (1) (a) of the statutes is repealed and recreated to read:

86.30 (1) (a) "Basic aids" means the amount of local transportation aids distributed to each county or municipality as determined under sub. (4) (a).

SECTION 1353c. 86.30 (1) (be), (bm) and (bs) of the statutes are created to read:

86.30 (1) (be) "Formula aids" means the amounts distributed to a county or municipality on the basis of the formula specified under sub. (2).

(bm) "Hold harmless aids" means the amount by which the base year distribution for a county or municipality exceeds the formula aids for the county or municipality.

(bs) "Minimum aid per mile guarantee" means the amount determined under sub. (4) (b) 1.

SECTION 1353e. 86.30 (1) (d) of the statutes is repealed and recreated to read:

86.30 (1) (d) "State formula aids level" means the amount of basic aids specified under sub. (9) minus the amount required to fully fund the statewide total of hold harmless aids necessary for the particular calendar year.

SECTION 1353h. 86.30 (2) (title) and (a) of the statutes are amended to read:

86.30 (2) (title) FORMULA AIDS. (a) For the purpose of determining the new formula aids amount a "local formula factor" shall first be calculated for every county and municipality which reports costs data in accordance with s. 86.303.

SECTION 1353L. 86.30 (2) (c) of the statutes is amended to read:

86.30 (2) (c) The proportion of the "local formula factor" for a particular county or municipality to the total of all "local formula factors" shall be considered the "local proportionate share" of the particular county or municipality. The amount determined by multiplying the local proportionate share times the ~~base amount~~ state formula aids level is the new formula aids amount for the particular county or municipality.

SECTION 1353m. 86.30 (4) of the statutes is repealed and recreated to read:

86.30 (4) TRANSPORTATION AIDS DISTRIBUTION. (a) *Basic aids*. The amount of basic aids payable by the department to each county and municipality shall be the formula aids amount or the base year distribution, whichever is greater, except that commencing with calendar year 1985 and thereafter, once a county or municipality is paid the formula aids amount for a calendar year, it shall thereafter continue to be paid the amount determined under sub. (2).

(b) *Mileage aids*. 1. Each county and municipality is guaranteed a minimum aid per mile payment for each mile of road or street under the jurisdiction of the county or municipality as determined under s. 86.302. In calendar year 1984, the minimum aid per mile guarantee shall be an amount equal to \$535 for each mile of road or street. In calendar year 1985 and thereafter, the minimum aid per mile guarantee shall be an amount equal to \$550 for each mile of road or street. The amount distributed under this subdivision shall be the amount by which the minimum aid per mile guarantee for a county or municipality exceeds the basic aids amount for the county or municipality.

2. If the basic aids amount for a county or municipality exceeds the minimum aid per mile guarantee, the county or municipality shall receive a mileage-based payment of \$70 for each mile of road or street under the jurisdiction of the county or municipality as determined under s. 86.302.

(c) *Aid limitation based on reported costs*. No county or municipality may be paid an amount under this section greater than 80% of its average calendar year cost data. For 1984, the average calendar year cost data shall be based on the 5 most recent years for

which complete annual cost data is available under s. 86.303 (5). For 1985 and each calendar year thereafter, the average calendar year cost data shall be based on the 6 most recent years for which complete annual cost data is available under s. 86.303 (5).

(d) *Aid payments.* Local transportation aids under this section shall be calculated and distributed on the basis of a calendar year. Local transportation aids shall be paid in 4 equal instalments on the first Monday in January, April, July and October. If adjustments are necessary, the department may adjust any of the scheduled aid payments in a calendar year. The payments shall be made from the appropriation under s. 20.395 (1) (aq) for the fiscal year in which the payments are made. If the amount appropriated under s. 20.395 (1) (aq) is insufficient to pay the local transportation aids distribution under this section, the department shall prorate the amount appropriated in the manner it deems desirable.

SECTION 1353o. 86.30 (6) (a) of the statutes is amended to read:

86.30 (6) (a) If the jurisdictional road mileage of a county or municipality is reduced as a result of incorporation, consolidation, annexation, detachment, abandonment or some similar procedure whereby the jurisdiction of the county or municipality is transferred, in whole or in part, to a new or another county or municipality, the percentage reduction in jurisdictional road mileage shall be reflected by making a proportionate reduction in the base year distribution figure for the county or municipality. The adjusted base year distribution figure shall be used under sub. (4) (a) to determine transportation aids payable in ~~fiscal~~ calendar years following certification of the change in jurisdictional mileage responsibility under s. 86.305.

SECTION 1353r. 86.30 (9) of the statutes is repealed and recreated to read:

86.30 (9) AID CALCULATIONS FOR 1984 AND 1985. For the purpose of calculating and distributing basic aids under sub. (4) (a), the amounts for basic aids are \$145,400,000 in calendar year 1984 and \$149,700,000 in calendar year 1985. These amounts, to the extent practicable, shall be used to determine the distribution of formula aids and hold harmless aids in the particular calendar year.

SECTION 1353u. 86.302 (3) (a) and (b) of the statutes are amended to read:

86.302 (3) (a) New roads shall be added to a local unit's mileage total in the ~~state's fiscal~~ calendar year following the year in which the road is first open to traffic.

(b) Abandoned roads shall be deleted from a local units mileage total in the ~~fiscal~~ calendar year following the year in which the road is closed to traffic.

SECTION 1353w. 86.303 (2) (intro.), (b) and (c) and (3) of the statutes are amended to read:

86.303 (2) (title) MULTIYEAR COST FACTOR CALCULATION. (intro.) The department shall calculate ~~actual annual~~ multiyear cost factors based on functional classification for each county and municipality. The multiyear cost factors shall be calculated in the following manner:

(b) The proportion of each functionally classified weighted mileage to the total weighted mileage shall be used to calculate the functionally classified weighted costs for each county and municipality from the ~~actual cost data reported~~ multiyear average costs under sub. (5) (4).

(c) The functionally classified weighted costs shall be divided by functionally classified mileage to determine the ~~actual annual~~ multiyear cost factors for each county and municipality.

(3) AVERAGE COST FACTORS. For the purposes of determining aids to local units of government under s. 86.30 the following average cost factors shall be utilized by the department until new average cost factors are developed under sub. (1). For the pur-

poses of determining average costs, the average cost factors shall be multiplied by each functionally classified mileage.

SECTION 1353y. 86.303 (4) of the statutes is repealed and recreated to read:

86.303 (4) MULTIYEAR AVERAGE COSTS. The multiyear cost factors used to determine the formula aids amount for local units of governments for calendar year 1984 shall be based on the actual costs for calendar years 1978 to 1982 and one year of average costs under sub. (3). For calendar year 1985 and thereafter, the multiyear average shall be based on the 6 most recent years for which actual costs are available.

SECTION 1354. 86.303 (5) (b) of the statutes is amended to read:

86.303 (5) (b) Cost data shall be reported on a calendar year basis, and reports or a written request for extension shall be submitted to the department ~~by May 15 of the following year, except of revenue~~ as provided under pars. (c) and (d). All extensions under this paragraph shall be until ~~the first Monday in June~~ May 15 and no extension beyond that date may be granted.

SECTION 1355. 86.303 (5) (c) of the statutes is amended to read:

86.303 (5) (c) The department and the department of revenue shall prescribe a state-wide uniform cost reporting procedure under s. 73.10 for municipalities ~~under 2,500 having a population of 2,500 or less~~. The cost report or a written request for extension shall be submitted to the department of revenue ~~beginning May 15, 1982, by March 31~~ by municipalities ~~under 2,500 having a population of 2,500 or less~~ for the purposes under this section. All extensions under this paragraph shall be until ~~the first Monday in June~~ May 15 and no extension beyond that date may be granted. The department of revenue shall forward the highway related cost data to the department.

SECTION 1356. 86.303 (5) (d) of the statutes is amended to read:

86.303 (5) (d) The department and the department of revenue shall prescribe a state-wide uniform cost reporting procedure under s. 73.10 for counties and for municipalities over 2,500 population. The cost reports or a written request for extension shall be submitted to the department of revenue ~~beginning by May 15, 1984, 1~~ by counties and by municipalities over 2,500 population for the purposes under this section. All extensions under this paragraph shall be until ~~the first Monday in June~~ May 15 and no extension beyond that date may be granted. The department of revenue shall forward the highway related cost data to the department.

SECTION 1357. 86.303 (5) (e) of the statutes is amended to read:

86.303 (5) (e) If a county or municipality fails to submit a substantially complete and accurate report by ~~May 15 of the date required under par. (c) or (d) each year or by the first Monday in June if a written request for extension has been received in the department or department of revenue,~~ as provided in par. (a), (b) or (c) under this subsection, the aids payable to the county or municipality during the following state's fiscal year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (4) during the state's preceding fiscal year, ~~even in cases where the preceding year's distribution is equal to the base year distribution.~~

SECTION 1358. 86.303 (7) (b) of the statutes is amended to read:

86.303 (7) (b) If the county or municipality fails to conduct such an audit, the aids payable during the state's following fiscal year shall be equal to 90% of the aids actually paid during the preceding fiscal year. If the department has reason to believe that the 90% payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (4). Any underpayment or overpayment of aids resulting from cost reporting errors shall be rectified by adjusting aids paid in the following fiscal year.

SECTION 1359. 86.303 (7) (c) of the statutes is amended to read:

86.303 (7) (c) Any municipality having a population of 2,500 or less which has submitted its cost report may amend such cost report prior to March 31 or prior to May 15 if a written request for extension has been received by the department of revenue. Any county or any municipality having a population over 2,500 which has submitted its cost report may amend such cost report prior to May 15 or prior to the first Monday in June May 15 if a written request for extension has been received by the department of revenue. Any amendments shall be submitted to the department of revenue whichever is appropriated under s. 86.305. Any county or municipality which desires to amend its cost report after the first Monday in June May 15 shall submit an independent, certified audit to the department of revenue no later than the day following Labor Day August 15.

SECTION 1359m. 86.305 of the statutes is amended to read:

**86.305 Annual adjustments in jurisdictional mileage.** The incorporated status and boundaries of municipalities and changes in jurisdictional mileage responsibilities under s. 86.302 shall be certified by the department by May 1 in order to be reflected in transportation aid calculations for the following ~~fiscal~~ calendar year.

SECTION 1359s. 86.32 (2) (b) 1 of the statutes is amended to read:

86.32 (2) (b) 1. Reimbursement for maintenance of connecting highways for calendar year 1983 shall be determined annually as follows: \$5,420 \$7,030 per lane mile for municipalities having a population over 500,000; \$5,010 \$6,510 per lane mile for municipalities having a population of 150,001 to 500,000; \$4,470 \$5,810 per lane mile for municipalities having a population of 35,001 to 150,000; \$3,930 \$5,110 per lane mile for municipalities having a population of 10,000 to 35,000; and \$3,390 \$4,400 per lane mile for municipalities having a population under 10,000. For the first 2 lanes of a highway, the applicable rate per lane mile shall be paid in full. For the 2nd 2 lanes of a highway, the payable rate per lane mile shall be 75% of the appropriate rate per lane mile prescribed in this section. For the 3rd 2 lanes, and any additional lanes, of highway, the payable rate per lane mile shall be 50% of the appropriate rate per lane mile prescribed in this section.

SECTION 1360. 86.32 (2) (b) 4 of the statutes is repealed and recreated to read:

86.32 (2) (b) 4. Annual connecting highway aids shall be paid in 4 installments on the first Monday in July, October, January and April. Unless fiscal year adjustments are necessary, the July and October instalments shall equal the January and April instalments of the previous fiscal year. If fiscal year adjustments are necessary, the department shall make these fiscal year adjustments in the July instalment. If a fiscal year adjustment is made in the July instalment, the next subsequent October instalment shall equal the average of the most recent January, April and July instalments.

SECTION 1360m. 86.32 (3) of the statutes is amended to read:

86.32 (3) (a) Except as provided in par. (b), the per lane mile reimbursement rate established in sub. (2) shall be adjusted for ~~fiscal year 1980-81~~ calendar year 1986 and annually thereafter to reflect the percentage of change attributed to the rate of inflation. For purposes of this paragraph, the percentage attributable to inflation shall be the same percentage as the inflationary rate adjustment to the appropriation under s. 20.395 (3) (eq). The per lane mile reimbursement rate adjusted under this subsection shall be rounded to the nearest \$10 per lane mile.

(b) For ~~fiscal years 1981-82 and 1982-83~~ calendar years 1984 and 1985, the per lane mile reimbursement rate established in sub. (2) shall be adjusted by ~~9%~~ 3% to reflect the percentage of change attributed to the rate of inflation.

SECTION 1360s. 91.01 (1) of the statutes is amended to read:

91.01 (1) "Agricultural use" means beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; live-stock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain,

grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; and vegetable raising.

SECTION 1361. 91.37 (4) of the statutes is amended to read:

91.37 (4) If at the end of an agreement under this subchapter, the farmland is not eligible for an agreement under subch. II because s. 91.11 (2), (3) or (4) is applicable, the lien shall apply, without interest, to the credit received under s. 71.09 (11) for the last 2 years the land was eligible for such credit. If, after the expiration of an agreement but prior to January 1, 1983, the land or any portion of the land is zoned for exclusive agricultural use under an ordinance certified under subch. V, all or any portion of a lien filed under this subsection against such land shall be discharged. The discharge of a lien under this subsection does not affect the calculation of any subsequent lien under s. 91.77 (2).

SECTION 1362m. 91.80 of the statutes is created to read:

**91.80 Soil and water conservation ordinance.** Any county, city, village or town may by separate ordinance require that land for which an owner receives a zoning certificate under s. 71.09 (11) (h) be farmed in accordance with reasonable soil and water conservation standards established by the land conservation committee created under s. 92.06 by the county board. Deviations from such standards may be allowed if, in the judgment of the land conservation committee, personnel are not available to lay out the practices needed in order to meet such standards or if the needed practices are not economical for the owner to adopt.

SECTION 1364m. 92.15 of the statutes is created to read:

**92.15 Wisconsin farmers fund program.** (1) The department shall establish an animal waste water pollution grant program. The department shall adopt rules necessary for the proper execution of this program. The grants under this section may be used only for engineering design or construction of animal waste treatment or storage facilities or permanent runoff control structures and shall be paid from the appropriation under s. 20.866 (2) (zp).

(2) The department may make payments under this section only to a county which:

(a) Submits a plan to the department identifying the animal waste water pollution problems in the county and ways to deal with them and their cost, and establishing a priority ranking of the problems.

(b) Adopts an ordinance under s. 92.16.

(c) Administers a Wisconsin farmers fund program which:

1. Limits grants under this section to animal waste treatment or permanent runoff control structures or storage facilities which are necessary to meet water quality objectives.

2. Ensures that the facilities and structures under subd. 1 are designed consistent with rules of the department and with the technical standards of the county.

3. Ensures that the facilities and structures under subd. 1 are constructed and operated to avoid water pollution problems.

4. Requires, as a condition of the grant under this section, an applicant to use the most cost-effective method to meet water quality standards.

5. Limits a grant for any facility or structure under subd. 1 to \$10,000 of total grants from the program under this section and all other government programs.

6. Limits the state share of the cost of any facility or structure under subd. 1 to 70% and any county share to 10%.

(3) A county may adopt an ordinance specified under sub. (2) (b).

(4) The department of natural resources shall furnish the department and counties water quality information needed to identify animal waste water pollution under sub. (2) (a).

(5) Nothing in this section affects the authority of the department of natural resources to act under statutes and rules administered or adopted by the department of natural resources.

SECTION 1364n. 92.16 of the statutes is created to read.

**92.16 Earthen manure storage facilities.** A county may adopt an ordinance requiring all earthen manure storage facilities constructed after the effective date of this section (1983), to meet the technical standards of the county and rules of the department. The department shall adopt rules for ordinances setting standards and criteria for construction of earthen manure storage facilities.

SECTION 1364s. 94.50 of the statutes is created to read:

**94.50 Cultivated ginseng.** (1) DEFINITIONS. In this section:

**Vetoed  
in Part**

(a) "Cultivated ginseng" means ginseng that is ~~planted~~ grown or nurtured by a person.

(b) "Dealer" means a person who buys cultivated ginseng for the purpose of resale, except that it does not include a person who buys cultivated ginseng solely for the purpose of final retail sale to consumers.

(c) "Grower" means a person who grows cultivated ginseng and who sells cultivated ginseng to a dealer.

(2) GROWERS AND DEALERS; REGISTRATION. No person may act as a grower or a dealer unless he or she is registered with the department. Any person who acts as a dealer and a grower shall register as both. Registrations shall be made annually on a form provided by the department. Registrations shall expire on June 30 of each year. A dealer shall pay to the department an annual registration fee of \$25. The department shall assign a registration number to each person registered under this subsection.

(3) SALE OR SHIPMENT OF CULTIVATED GINSENG. (a) Except as provided in par. (e), no person may sell or ship cultivated ginseng to a dealer or ship cultivated ginseng out of this state unless the cultivated ginseng is accompanied by a valid completed shipment certificate. The person selling or shipping the cultivated ginseng shall complete a valid shipment certificate provided by the department. The person selling or shipping the cultivated ginseng shall on a valid form provided by the department report to the department within 30 days after the sale or shipment, the source of all of the cultivated ginseng included in the sale or shipment. Each person who completes a shipment certificate or report form shall retain a duplicate copy.

(b) The department shall upon request provide each registered grower and dealer with shipment certificates and report forms required under par. (a). The department shall stamp each shipment certificate and report form with the registration number of the grower or dealer. A shipment certificate and report form is valid only if used during the registration period for which the stamp registration number of the grower or dealer was issued. The department may charge a reasonable fee to recover the costs related to providing shipment certificates and report forms.

(c) No dealer may purchase or receive cultivated ginseng grown in this state unless it is accompanied by a completed shipment certificate. A dealer shall retain the original copy of each shipment certificate he or she receives.

(d) No dealer may purchase or receive cultivated ginseng grown outside of this state unless the ginseng is accompanied by a valid written certificate, issued by the state of origin, certifying that the shipment consists solely of cultivated ginseng. The certificate shall include the source and dry weight of the cultivated ginseng included in the shipment. A dealer shall retain a copy of each written certificate he or she receives.

(e) Paragraph (a) does not apply to a person who sells or ships cultivated ginseng to a person outside of this state who is buying or receiving the cultivated ginseng solely for the purpose of final retail sale to consumers in the United States, if the person selling or shipping keeps a written record of the sale or shipment which shall include all of the following:

1. The name and address of the purchaser or recipient.
2. The dry weight of the cultivated ginseng included in the sale or shipment.
3. The date of the sale or shipment.
4. The source of all of the cultivated ginseng included in the sale or shipment.

(4) INSPECTION OR SUBMISSION OF RECORDS. A dealer or grower shall make all records that are required to be kept under this section available upon request to the department for inspection and copying. A dealer or grower registered in this state shall submit all records upon request to the department that are kept outside of this state and that are required to be kept under this section.

(5) FALSE INFORMATION. No person may include false information on any document or record required under this section, or submit false information to the department in connection with a registration under sub. (2). No person may knowingly accept or retain a document or record required under this section that contains false information to facilitate the sale or shipment of ginseng in violation of this section or s. 29.547.

(6) RECORDS CLOSED TO PUBLIC. Documents and records submitted under this section by a grower or dealer to the department are not open to public inspection.

(7) ENFORCEMENT ACTIONS. The department may by an order deny, suspend or revoke the registration of a dealer or a grower and may invalidate shipment certificates completed by the dealer or grower, if the department finds that the dealer or grower has violated this section. The department may by a summary order and without prior notice or hearing, suspend or invalidate the registration and shipment certificates of a dealer or grower if the department finds that there is a need for immediate action to prevent a violation of this section. An order issued under this subsection shall be in writing, have the force and effect of an order issued under s. 93.18, and is subject to a right of hearing before the department, if requested within 10 days after service. Hearings on summary orders shall be conducted within 10 days after receipt of a request for hearing. Enforcement of a summary order shall not be stayed pending the hearing.

(8) PENALTY. A person violating this section shall forfeit not more than \$500 for each violation.

SECTION 1365. 101.12 (3) (b) and (g) and (5) (a) 1 and 2. (intro.) and (b) to (d) of the statutes are amended to read:

101.12 (3) (b) Accept the examination of essential drawings, calculations and specifications in accordance with sub. (1) for buildings containing less than 50,000 cubic feet of volume and alterations to buildings containing less than 100,000 cubic feet of volume performed by cities of the 2nd and 3rd classes, villages, towns or counties, provided the same are examined in a manner approved by the department. The department shall determine and certify the competency of all such examiners.

(g) Accept inspection at no cost when performed by qualified and authorized inspectors in the employ of cities of the 1st, 2nd and 3rd classes a city, village, town or county for the inspection of buildings and equipment located within the corporate limits of such cities city, village, town or county. The department shall determine and certify the competency of all such inspectors.

(5) (a) 1. "Plans" means construction plans, designs, specifications and related materials filed with the department, city, village, town or county concerning a structure.

2. (intro.) "Secure structure" means a building or other structure of a type which the department, city, village, town or county determines to have extraordinary security requirements, including but not limited to structures used:

(b) A person requesting to inspect or copy plans shall submit a written application identifying the structure or proposed structure whose plans are sought to be inspected or copied, providing the full name and address of the requester and stating that any information obtained from the inspection or copying will not be used for any unlawful or unfair competitive purpose and that the information set forth in the application is true and correct. The department, city, village, town or county shall promptly transmit a copy of the application to the owner of the structure or proposed structure and the submitter of the plans being inspected or copied.

(c) If an application submitted under par. (b) requests inspection or copying of plans for a secure structure or proposed secure structure, the department, city, village, town or county shall consider the information supplied in the application and weigh the possible harm to the public interest which may result from permitting inspection and copying of the plans against the benefits of allowing such inspection or copying. If the department, city, village, town or county determines that the possible harm to the public interest outweighs the benefit to the requester and to the public interest of allowing such inspection or copying, it may deny the application or grant it upon such conditions as it determines are necessary to protect the public interest. This paragraph does not apply to an application submitted by a law enforcement agency or person authorized to have access to the plans by lawful subpoena.

(d) The department, city, village, town or county may charge a reasonable amount to defray its costs in providing copies of the plans.

SECTION 1366. 101.122 (2) (a) 1 of the statutes is amended to read:

101.122 (2) (a) 1. No later than January 1, 1983, adopt rules which establish a code of minimum energy efficiency standards for rental units. The rules shall require installation of specified energy conservation measures. The present value benefits of each energy measure, in terms of saved energy over a 5-year period after installation, shall be less more than the total present value cost of installing the measures.

SECTION 1367. 101.124 of the statutes is amended to read:

**101.124 Heated sidewalks prohibited.** In this section "exterior pedestrian traffic surface" means any sidewalk, ramp, stair, stoop, step, entrance way, plaza or pedestrian bridge not fully enclosed within a building and "heated" means heated by electricity or energy derived from the combustion of fossil fuels, but not including the use of waste thermal energy. "Exterior pedestrian traffic surface" does not include any means of ingress and egress by the physically disabled required under s. 101.13 (2). No person may construct a heated exterior pedestrian traffic surface. The department ~~may not approve~~ or any city, village, town or county is prohibited from approving any plan under s. 101.12 which includes such heated surface. The department shall order any existing heated exterior pedestrian traffic surface in operation after April 30, 1980, to be shut off. This section does not apply to any inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86.

SECTION 1367m. 101.19 (1) (e) of the statutes is amended to read:

101.19 (1) (e) The review of plans, construction inspections, department labels and licensing of manufacturers of manufactured homes and mobile homes.

SECTION 1370. 101.22 (4p) (b) and (d) of the statutes are amended to read:

101.22 (4p) (b) The commission shall either reverse, modify, set aside or affirm the findings and order in whole or in part, or direct the taking of additional evidence. Such action shall be based on a review of the evidence submitted. If the commission is satisfied that a respondent or complainant has been prejudiced because of exceptional delay in the

receipt of a copy of any findings and order it may extend the time another ~~20~~ 21 days for filing the petition with the department.

(d) If no petition is filed within ~~20~~ 21 days from the date that a copy of the findings and order of the examiner are mailed to the last-known address of the respondent and complainant, the findings and order shall be considered final.

SECTION 1371. 101.227 of the statutes is repealed.

SECTION 1372. 101.23 (2) of the statutes is amended to read:

101.23 (2) Any county, city, town or village may enter into an agreement with the department for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and it shall be lawful for any county, city, town or village to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be agreed upon, or in counties containing 250,000 inhabitants or more in any city, town or village therein to purchase a site and construct necessary buildings. Provided, that in any county, city, village or town therein, wherein there is a citizens' committee on unemployment, such committee may rent, lease, purchase or construct necessary buildings for the joint establishment and maintenance of such free employment office, subject to the approval of such plans by the department. The department may establish such free employment offices as it deems necessary to carry out the purposes of ch. 108. All expenses of such offices, or all expenses not defrayed by the county, city, town or village in which an office is located, shall be ~~charged to~~ paid from the ~~appropriation~~ appropriations to the department provided in s. 20.445 (1) (ga) and (z).

SECTION 1373. 101.23 (7) of the statutes is created to read:

101.23 (7) The department may, by rule, fix and collect fees for provision of employment services authorized but not funded by the U.S. employment service.

SECTION 1374. 101.30 of the statutes is repealed and recreated to read:

**101.30 Work incentive demonstration program; AFDC recipients.** The department may contract with the department of health and social services for the provision of supportive and employment services under the work incentive demonstration program under s. 49.50 (7). Fees charged for the contractual services provided shall be credited to the appropriations under s. 20.445 (1) (kg) and (kk).

SECTION 1374g. 101.57 (title) and (1) of the statutes are renumbered 16.957 (title) and (1), and 16.957 (1) (intro.), as renumbered, is amended to read:

**16.957 Renewable energy resource system incentive.** (1) (intro.) Any person other than a corporation or other than a cooperative as defined in s. 185.01 (1) or (2) owning a renewable energy resource system may apply for a refund of ~~the percentage determined under sub. (1m)~~ 10% of the total cost of the design, construction, equipment and installation of the renewable energy resource system, but not exceeding ~~\$10,000~~ \$7,500 of such costs per system if:

SECTION 1374gm. 101.57 (1g) of the statutes is renumbered 16.957 (1g) and amended to read:

16.957 (1g) A person may apply for a refund under sub. (1) for the design, construction, equipment and installation of a system only if the person's primary residence is in this state and if the person's federal adjusted gross income for the year immediately preceding the year of application, whether filed individually or in combination with a spouse, does not exceed \$40,000.

SECTION 1374h. 101.57 (1m) of the statutes is repealed.

SECTION 1374im. 101.57 (1n) of the statutes is renumbered 16.957 (1n) and amended to read:

16.957 (1n) For taxable years 1980 to 1985 any corporation or cooperative as defined in s. 185.01 (1) or (2) owning a renewable energy resource system installed on the corporation's or cooperative's property in this state, or installed on residential property in this state under a leasing agreement between the corporation or cooperative as defined in s. 185.01 (1) or (2) and the owner of the residential property, may apply for a refund of an amount equal to 10% of the first ~~\$1,000,000~~ \$100,000 of the total cost of the design, construction, equipment and, except for leased systems, installation of the renewable energy resource system if the system is certified under sub. (4), if the installation of the system is completed during the year for which the refund is claimed and, in the case of a corporation, if the corporation is subject to the tax imposed upon or measured by the corporation's net income under s. 71.01 (1) and (2). A corporation or cooperative may apply for a refund under this subsection for any portion of the cost of the design, construction, equipment and installation of a waste conversion system, as defined in s. 101.57 (8) (c), 1979 stats., if the cost was incurred prior to July 1, 1982.

SECTION 1374j. 101.57 (3) of the statutes is renumbered 16.957 (3) and amended to read:

16.957 (3) Applications for refund under this section shall be made to the department. If approved by the department, the amount of refund shall be certified ~~to the department of administration~~ for payment to the claimant by check from the appropriation under s. ~~20.445~~ 20.505 (1) (e). Only one claim may be filed by any claimant during any year. No claim filed under this section may be allowed unless the claim is filed within one year of the year in which the costs upon which it is based were incurred.

SECTION 1374k. 101.57 (4) of the statutes is renumbered 16.957 (4).

SECTION 1374L. 101.57 (5) of the statutes is renumbered 16.957 (5) and 16.957 (5) (intro.), as renumbered, is amended to read:

16.957 (5) (intro.) The department, ~~in consultation with the department of administration,~~ shall establish by rule performance standards for renewable energy resource systems. The performance standards shall be established to:

SECTION 1374m. 101.57 (5g) to (8) of the statutes are renumbered 16.957 (5g) to (8).

SECTION 1374n. 101.57 (9) of the statutes is renumbered 16.957 (9) and amended to read:

16.957 (9) In cooperation with ~~the department of administration and~~ the university of Wisconsin system-extension, the department shall develop materials to inform the public of the refunds for renewable energy resource systems available under this section. Such material shall include information on the calculation of the life-cycle costs of renewable energy resource systems.

SECTION 1374o. 101.57 (10) to (13) of the statutes are renumbered 16.957 (10) to (13).

SECTION 1375mb. 101.63 (1m) of the statutes is created to read:

101.63 (1m) Adopt a rule which requires any one- and 2-family dwelling which uses electricity for space heating to be superinsulated.

SECTION 1375mp. 101.71 (1) (b) of the statutes is amended to read:

101.71 (1) (b) ~~The term "manufactured~~ "Manufactured building" does not include a mean any manufactured home or mobile home under s. 101.91 or any building of open construction which is not subject to par. (a) 2. ~~In no case may a single or double width mobile home as defined in s. 218.10 (2) be considered a manufactured building nor may such a mobile home be subject to this subchapter.~~

SECTION 1375mz. 101.73 (1m) of the statutes is created to read:

101.73 (1m) Adopt a rule which requires any manufactured building which uses electricity for space heating to be superinsulated.

SECTION 1375n. Subchapter V (title) of chapter 101 of the statutes is amended to read:

CHAPTER 101  
SUBCHAPTER V  
MANUFACTURED HOMES AND MOBILE HOMES;  
REGULATION OF MANUFACTURERS

SECTION 1375o. 101.91 of the statutes is amended to read:

**101.91 Definition.** In ss. 101.90 to 101.96, ~~“mobile;~~

(1) “Mobile home” means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. “Mobile home” includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer’s warranty.

SECTION 1375p. 101.91 (2) of the statutes is created to read:

101.91 (2) “Manufactured home” means either of the following:

(a) A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

(b) A structure which meets all the requirements of par. (a) except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 USC 5401 to 5425.

SECTION 1375pr. 101.92 (6) of the statutes is amended to read:

101.92 (6) May enter into reciprocal agreements with other states regarding the design, construction, inspection and labeling of mobile homes ~~which are not required to be constructed in accordance with 42 USC 5401 to 5426~~ where the laws or rules of other states meet the intent of ss. 101.90 to 101.96 and where the laws or rules are actually enforced.

SECTION 1375q. 101.92 (7) of the statutes is amended to read:

101.92 (7) Shall establish within the division of ~~industrial~~ safety and buildings a staff for the administration and enforcement of ss. 101.90 to 101.96.

SECTION 1375r. 101.94 (title) of the statutes is amended to read:

**101.94 (title) Manufactured home and mobile home manufacturers, distributors and dealers: design and construction of manufactured homes and mobile homes.**

SECTION 1375s. 101.94 (2) of the statutes is amended to read:

101.94 (2) No person may manufacture, assemble, distribute or sell a ~~mobile manufactured home on or after April 30, 1980 unless the mobile manufactured home complies with 42 USC 5401 to 5426 as in effect on April 30, 1980~~ 5425 and applicable regulations as in effect on June 15, 1976. The department may establish, by rule, standards for the safe and sanitary design and construction of ~~mobile manufactured~~ homes for the purpose of enforcement of this subchapter, and those standards may include standards in addition to any standards established by the secretary of housing and urban development under 42 USC 5401 to ~~5426~~ 5425.

SECTION 1375t. 101.95 (title) of the statutes is amended to read:

**101.95 (title) Manufactured home and mobile home manufacturers regulated.**

SECTION 1375u. 101.96 of the statutes is amended to read:

**101.96 Advisory committee.** The department shall appoint an advisory committee of 5 members to review the rules and standards for manufactured homes and mobile homes and recommend changes. The committee shall be composed of 2 members representing the manufactured home or mobile home industry, 2 public members and one member from the department. The committee shall submit an annual report to the department and to the department of health and social services. The annual report shall include recommended changes in this subchapter reflecting amendments to 42 USC 5401 to 5426 and rules and regulations issued under 42 USC 5401 to ~~5426~~ 5425.

SECTION 1397. 102.07 (1m) of the statutes is created to read:

102.07 (1m) Any person participating in a community work experience program under s. 46.22 (4) (n) or 49.51 (2) (a) 15.

SECTION 1398. 102.27 (2) of the statutes is renumbered 102.27 (2) (a) and amended to read:

102.27 (2) (a) A benefit under this chapter is assignable under ~~ss. 52.055 (2m) and s. 767.265 (1)~~.

SECTION 1399. 102.27 (2) (b) of the statutes is created to read:

102.27 (2) (b) If a governmental unit provides public assistance under ch. 49 to pay medical costs or living expenses related to a claim under this chapter, that governmental unit shall be reimbursed from any compensation awarded or paid if it notifies the parties to the claim in writing that it provided the assistance. Reimbursement shall equal the lesser of either the amount of assistance the governmental unit provided or two-thirds of the amount of the award or payment remaining after deduction of attorney fees and any other fees or costs chargeable under ch. 102.

SECTION 1399m. 103.49 (6) of the statutes is amended to read:

103.49 (6) This section shall not apply to a contract, or to work under a contract, described or referred to in sub. (1) ~~under which: (a) the estimated total cost of completing the project is less than \$2,500 and only one trade or occupation is required to complete it, or (b) the estimated total cost of completing the project is less than \$25,000 and more than one trade or occupation is required to complete it~~ if the estimated cost of completing the project is less than the estimated cost of completion under s. 66.293 (3) (c) as adjusted by the department.

SECTION 1399pm. 108.04 (7) (b) of the statutes is amended to read:

108.04 (7) (b) Paragraph (a) shall not apply if the department determines that the employe terminated his or her employment with good cause attributable to the employing unit. In this paragraph, "good cause" includes, but is not limited to, a request, suggestion or directive by the employing unit that the employe violate federal or Wisconsin law.

~~SECTION 1399q. 108.04 (7) (em) of the statutes is created to read:~~

**Vetoed  
in Part**

~~108.04 (7) (em) Paragraph (a) does not apply if the department determines that a resident of this state who was unemployed accepted employment outside this state which he or she could have refused with good cause under sub. (8) and terminated that employment with the same good cause and within the first 26 weeks after starting work at that employment.~~

SECTION 1399t. 108.04 (16) (a) 2 of the statutes is amended to read:

108.04 (16) (a) 2. The course is expected to increase his the individual's opportunities to obtain employment, is of not more than 10 months duration, or 2 years duration for a course beginning not later than June 30, 1985, does not grant substantial credit leading to a bachelor's or higher degree, and is given by a school established under s. 38.02 or other training institution approved by the department; and

SECTION 1400. 108.13 (1) (d) of the statutes is created to read:

108.13 (1) (d) The department may charge the department of health and social services for actual administrative costs it incurs in intercepting benefits to enforce child and spousal support obligations under 42 USC 654.

SECTION 1400g. 108.141 (4) and (5) (a) (intro.), 1 and 3 of the statutes, as created by 1983 Wisconsin Act 8, are amended to read:

108.141 (4) WEEKLY EXTENDED BENEFIT RATE. The weekly extended benefit rate payable to an individual for a week of total unemployment ~~in his or her eligibility period~~ is an amount equal to the total amount of regular benefits ~~and any Wisconsin supplemental benefits~~ payable to the individual in his or her most recent benefit year, divided by the sum of the number of weeks payable for regular benefits ~~and any Wisconsin supplemental benefits~~, rounded down to the nearest dollar. No adjustment of rates under s. 108.05 (2) applies to benefits payable under this section.

(5) (a) (intro.) Extended benefits are payable to an individual for weeks of unemployment ~~in his or her eligibility period~~ for not more than the least of the amounts determined by the following:

1. One-half the amount of regular ~~and Wisconsin supplemental~~ benefits which were payable, including benefits canceled pursuant to s. 108.04 (5), in the individual's most recent benefit year rounded down to the nearest dollar; or

3. Thirty-nine times the extended benefit rate, reduced by the amount of regular benefits ~~and Wisconsin supplemental benefits payable~~ paid or deemed paid to the individual under this chapter in his or her most recent benefit year. Benefits withheld due to the application of s. 108.04 (11) are deemed ~~payable~~ paid for this purpose.

SECTION 1400r. 108.142 (1) (a) 1 and 2. (intro.) and b, (3) and (4) of the statutes, as created by 1983 Wisconsin Act 8, are amended to read:

108.142 (1) (a) 1. Begins with the 3rd week after which there is a Wisconsin "on" indicator under this section, except that no Wisconsin supplemental benefit period may begin with any week during which there is an extended benefit period under s. 108.141 in effect, and that no Wisconsin supplemental benefit period may begin before the 14th week following the end of a prior Wisconsin supplemental benefit period; and

2. (intro.) Ends with the week before any extended benefit period begins under s. 108.141, or ~~if there is no extended benefit period~~, with either of the following weeks, whichever occurs later:

b. The 13th consecutive week of such any period during which extended benefits under s. 108.141 or Wisconsin supplemental benefits in any combination have been payable.

(3) WEEKLY WISCONSIN SUPPLEMENTAL BENEFIT RATE. The weekly Wisconsin supplemental benefit rate payable to an individual for a week of total unemployment ~~in his or her eligibility period~~ is an amount equal to the amount determined under s. 108.05 (1).

(4) DURATION OF WISCONSIN SUPPLEMENTAL BENEFITS. Wisconsin supplemental benefits are payable to an individual for weeks of unemployment ~~in his or her eligibility period~~ in accordance with s. 108.06 (1), but no individual may receive more than 34 consecutive weeks of regular and Wisconsin supplemental benefits in an eligibility period.

SECTION 1401. 108.15 (7) (b) and (c) of the statutes are amended to read:

108.15 (7) (b) Each reimbursement payable by the state under this section shall be duly paid to the fund, upon filing by the fund's treasurer of a certificate to the department of administration specifying the amount of reimbursement due and the appropriation apparently chargeable.

(c) Each of the state's budget subdivisions shall have each such reimbursement amount charged to and deducted from its proper fund or appropriation, unless the secretary of administration certifies that a stated amount thereof cannot be thus charged, in which event that amount shall be charged to the general fund under such certification payment is authorized under ss. 20.865 and 20.928.

SECTION 1402. 108.161 (10) of the statutes is repealed.

SECTION 1402a. 108.18 (4) (figure) lines 12 to 23 of the statutes, as affected by 1983 Wisconsin Act 8, are renumbered 108.18 (4) (figure) lines 13 to 24.

SECTION 1402b. 108.18 (4) (figure) line 12 of the statutes is created to read:

108.18 (4) (figure)

12.	Standard rate	2.7%	2.7%	2.7%	2.7%
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SECTION 1402bc. 108.18 (7) (a) of the statutes, as affected by 1983 Wisconsin Act 8, is amended to read:

108.18 (7) (a) Except as provided in pars. (b) and (c), any employer may at any time make payments to the fund, in excess of the other requirements of this section. Each such payment shall be credited to the employer's account as of the date when paid, except that any:

1. Any such payment made during the period July 1 through November 30 shall, for the purpose of computing his the employer's reserve percentage, be credited thereto as of the immediately preceding computation date, and each.

2. Each such payment shall be treated as a contribution required and irrevocably paid under this chapter with respect to payrolls preceding the date as of which it is thus credited.

SECTION 1402bg. 108.18 (7) (b) of the statutes, as created by 1983 Wisconsin Act 8, is amended to read:

108.18 (7) (b) No employer may, by means of a voluntary contribution under par. (a), reduce the employer's contribution rate to a rate lower than the rate next lowest to the rate which would otherwise have applied to the employer in any calendar year. Notwithstanding par. (a) 2, the department shall refund any contributions in excess of the amount required to reduce an employer's rate to the extent permitted under this paragraph.

SECTION 1402br. 108.18 (9) (figure) lines 12 to 23 of the statutes, as affected by 1983 Wisconsin Act 8, are renumbered 108.18 (9) (figure) lines 13 to 24.

SECTION 1402bw. 108.18 (9) (figure) line 12 of the statutes is created to read:

108.18 (9) (figure)

12.	2.7%	0.9%	2.7%	0.9%	2.7%	0.9%	2.7%	0.9%
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SECTION 1402g. 108.18 (10) of the statutes, as created by 1983 Wisconsin Act 8, is amended to read:

108.18 (10) SPECIAL ADJUSTMENT. Notwithstanding sub. (4), the contribution rates shown in the schedule for calendar year 1984 only are multiplied by a factor of 1.08. Notwithstanding sub. (9), the solvency rates shown in the schedule for calendar year 1986 only are multiplied by a factor of 0.725. The department shall round the combined contribution and solvency rate of an employer as calculated under this subsection to the nearest one-tenth of one percent. If the combined rate is equally near to the next higher or lower one-tenth of one percent, the department shall round the combined rate up to the nearest one-tenth of one percent.

SECTION 1402i. 108.19 (1p) of the statutes, as created by 1983 Wisconsin Act 8, is amended to read:

108.19 (1p) Notwithstanding sub. (1m), an employer, other than a nonprofit organization or government unit, having a payroll of \$25,000 or less is exempt from any assessment under sub. (1m) for calendar year 1983 only.

SECTION 1403m. 110.07 (1) (a) (intro.) of the statutes is amended to read:

110.07 (1) (a) (intro.) The secretary shall employ not to exceed ~~375~~ 400 traffic officers. Such traffic officers, in addition to the person designated to head them whose position shall be in the classified service, shall constitute the state traffic patrol, and shall:

SECTION 1405m. 110.20 (2) (b) of the statutes is amended to read:

110.20 (2) (b) The department shall establish an inspection and maintenance program as provided in this section not later than January 1, 1983. ~~If the governor determines by October 1, 1982, that interstate air pollution will jeopardize the attainment by December 31, 1987, of the primary ambient air quality standard for ozone or carbon monoxide in counties identified under s. 144.42 (3), the governor shall request the attorney general to petition the federal environmental protection agency to enforce in neighboring states the provisions in the federal act, which if not implemented will result in this state not attaining either of these standards April 2, 1984.~~

SECTION 1409m. 111.09 (1) of the statutes is amended to read:

111.09 (1) The commission may adopt reasonable and proper rules and regulations relative to the exercise of its powers and authority and proper rules to govern its proceedings and to regulate the conduct of all elections and hearings. The commission shall, upon request, provide ~~transcripts a transcript of proceedings a proceeding~~ a transcript of proceedings a proceeding to any party to the proceeding for a fee prescribed by the commission at a uniform rate of not less than 60 cents per 25-line page for the first copy and 20 cents per 25-line page for each additional copy. All transcript fees shall be deposited into the general fund, except that fees collected in excess of 60 cents per page for any transcript produced by a reporter who is not employed by the commission shall be deposited under the appropriation in s. 20.425 (1) (g).

SECTION 1410. 111.13 of the statutes is repealed.

SECTION 1410m. 111.18 (1) (a) of the statutes is repealed and recreated to read:

111.18 (1) (a) "Health care institution" includes hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, kidney disease treatment centers, free-standing hemodialysis units, ambulatory surgical facilities, health maintenance organizations, community-based residential facilities that are certified as medical assistance providers under s. 49.45 (16) or that otherwise meet the requirements for certification, home health agencies and other comparable facilities. "Health care institution" does not include facilities operated solely as part of the practice of an independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99.

SECTION 1410n. 111.71 (1) of the statutes is amended to read:

111.71 (1) The commission may adopt reasonable rules relative to the exercise of its powers and authority and proper rules to govern its proceedings ~~thereunder~~ and to regulate the conduct of all elections and hearings. The commission shall, upon request, provide ~~transcripts a transcript of proceedings a proceeding~~ a transcript of proceedings a proceeding to any party to the proceeding for a fee prescribed by the commission at a uniform rate of not less than 60 cents per 25-line page for the first copy and 20 cents per 25-line page for each additional copy. All transcript fees shall be deposited into the general fund, except that fees collected in excess of 60 cents per page for any transcript produced by a reporter who is not employed by the commission shall be deposited under the appropriation in s. 20.425 (1) (g).

SECTION 1410p. 111.91 (4) of the statutes is created to read:

111.91 (4) The secretary of the department, in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92, shall endeavor to obtain tentative agreements with each recognized or certified labor organization which do not contain any provision for the payment to any employe of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employe has been employed by the state.

SECTION 1410r. 111.94 (1) of the statutes is amended to read:

111.94 (1) The commission may adopt reasonable and proper rules relative to the exercise of its powers and authority and proper rules to govern its proceedings and to regulate the conduct of all elections and hearings. The commission shall, upon request, provide ~~transcripts~~ a transcript of ~~proceedings~~ a proceeding to any party to the proceeding for a fee prescribed by the commission at a uniform rate of not less than 60 cents per 25-line page for the first copy and 20 cents per 25-line page for each additional copy. All transcript fees shall be deposited into the general fund, except that fees collected in excess of 60 cents per page for any transcript produced by a reporter who is not employed by the commission shall be deposited under the appropriation in s. 20.425 (1) (g).

SECTION 1411. 111.95 of the statutes is repealed.

SECTION 1412. 114.20 (11) of the statutes is amended to read:

114.20 (11) ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE; REFUNDS. Upon payment of a registration fee or transfer of registration fee, the department shall issue evidence of registration which shall be displayed at all times in the manner prescribed by the department. A refund may be made for aircraft registration fees paid in error as determined by the department. Refunds under this section shall be paid out of the appropriation under s. 20.395 (5) ~~(bq)~~ (aq).

SECTION 1413. 114.31 (7) of the statutes is created to read:

114.31 (7) STATE AID. The secretary shall establish, by rule, such conditions as he or she deems necessary to the grant of state aid.

SECTION 1413m. 114.34 (2) of the statutes is amended to read:

114.34 (2) The costs of projects not involving federal aid shall be borne by the sponsor and the state. The state shall pay not more than ~~one-half~~ 80% of such costs, which may include the cost of the land, the cost of lands or interest in lands deemed necessary for the protection of the aerial approaches, the cost of formulating the project application and preparing the plans and specifications, and the cost of construction and of all facilities deemed necessary for the operation of the airport. The state shall not contribute more than \$100,000 for the cost of a building project or building improvement project and no part of the cost of hangars.

SECTION 1415. 114.35 of the statutes is renumbered 114.35 (1) and amended to read:

114.35 (1) It is declared to be the policy of the state to promote the development of an airport system in this state and to promote the development of joint airports in this state and in adjoining states which mutually benefit citizens of this state and those of adjoining states. The secretary ~~shall~~ may use the ~~amount~~ funds provided by the state to assist sponsors in matching the federal aid that may become available to the state or available for specific projects or joint projects within this state or in an adjoining state ~~and to aid sponsors in the development of approved projects on the state system or said joint projects independent of federal aid and for airmarking and air navigation facilities.~~

SECTION 1416. 114.35 (2) of the statutes is created to read:

114.35 (2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects and for air marking and air navigation facilities.

SECTION 1417. 115.01 (16) of the statutes is amended to read:

115.01 (16) REORGANIZATION AUTHORITY. "Reorganization authority" means any officer, ~~committee~~, agency, school board, electors, ~~state appeal board~~ school district boundary appeal board or any group or combination thereof which is empowered by law to authorize or make orders of school district reorganization.

SECTION 1418. 115.28 (3m) of the statutes is amended to read:

115.28 (3m) (title) SUPERVISION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES; RULES. Supervise and audit the receipts and expenditures of the cooperative educational service agencies, conduct program review of the agencies, approve agency evaluations, supervise boundary reorganization where necessary, advise the ~~coordinators~~ administrators of the agencies and provide assistance in organizing the agencies throughout the state. The state superintendent shall adopt rules establishing procedures for the reorganization of cooperative educational service agencies and boundary appeals.

SECTION 1419. 115.28 (11) of the statutes is amended to read:

115.28 (11) STATE AID BUDGET CALCULATION. In preparing the biennial budget request of the department, calculate an amount to be distributed as state aid, exclusive of supplemental state aid under s. 121.085, which represents ~~an appropriate~~ a percentage of estimated statewide school district costs after estimated federal aids and local receipts, other than property taxes, have been deducted.

SECTION 1419m. 115.28 (13) of the statutes is amended to read:

115.28 (13) UNIFORM FINANCIAL FUND ACCOUNTING. Prescribe a uniform financial fund accounting system, applicable to all school districts and county handicapped children's education boards, which provides for the recording of all financial transactions inherent in the management of schools and county handicapped children's education board programs and the administration of the state's school aid programs.

SECTION 1420. 115.28 (18) of the statutes is created to read:

115.28 (18) PUPIL MEMBERSHIP AUDITS. Annually require at least 25% of school boards to audit the number of pupils reported for membership purposes under s. 120.14 (1).

SECTION 1420m. 115.28 (19) of the statutes is created to read:

115.28 (19) FEDERAL DISCRETIONARY FUNDS. Continue to award federal aid received under 20 USC 1411 (c) (1) (A) to any school district which received such funds in the 1982-83 school year in order to fund the educational costs associated with the transfer of handicapped pupils from a state institution.

SECTION 1421. 115.29 (5) of the statutes is created to read:

115.29 (5) TEACHER SUPPLY, INFORMATION AND ANALYSIS. Assist school boards, cooperative educational service agencies and county handicapped children's education boards to locate qualified professional school personnel, assist qualified professional school personnel to locate vacant positions and provide information and analysis of the professional school personnel supply.

SECTION 1422. 115.34 (2) of the statutes is amended to read:

115.34 (2) The department shall make payments to school districts and to private schools for school lunches served to children in the prior year as determined by the state superintendent from the ~~appropriations~~ appropriation under s. 20.255 ~~(1) (fe) and (4) (fe) (2) (cn)~~. Payments to school districts and to private schools shall equal the state's matching obligation under 42 USC 1751 et seq. Payments in the current year shall be determined by prorating the state's matching obligation based on the number of school lunches served to children in the prior year. In this subsection, "private school" means any school defined in s. 121.51 (3) which complies with the requirements of 42 USC 2000d.

SECTION 1423. 115.52 (3) of the statutes is amended to read:

115.52 (3) All the blind and the deaf residents of this state ~~between the ages of 6 and 21 to 20 years old, and for the duration of a school term all the blind or deaf residents of this state who become 21 years old during that school term,~~ who are capable of receiving instruction shall be received and taught in the schools free of charge. Like nonresident pupils also may be received upon payment in advance of the fees fixed by the state superintendent at an amount not less than \$75 per month, but no nonresident shall be received to the exclusion of a resident pupil. The state superintendent also may admit pupils ~~over who are 21 years of age or older prior to the beginning of a school term~~ upon the payment of fees fixed by the superintendent and upon the recommendation of the secretary of health and social services, the director of vocational, technical and adult education or the superintendent of the school to which the pupil will be assigned. All pupils shall equally and freely enjoy the benefits and privileges of the schools and have the use of the library and books of instruction and receive board, lodging and laundry, without discrimination. The schools may provide transportation for resident pupils.

SECTION 1424. 115.53 (4) (b) of the statutes is amended to read:

115.53 (4) (b) The net cost of ~~such~~ hospital treatment shall be at the rate ~~charged to counties for county patients established under s. 142.07 (1) and shall be chargeable one-half to the appropriation for operating the patient's school and one-half to the state.~~ The state superintendent likewise may authorize payment for the expense of transporting patients to and from the hospital. The state superintendent shall make payments for the treatment to the board of regents ~~for the half chargeable to the operation fund of the school and the other half shall be paid from the appropriation under s. 20.855 (3) (a) as provided in s. 142.08 (2).~~ Funds collected by the state superintendent on account of the hospitalization shall be deposited ~~one-half in the general fund and one-half in the appropriation under s. 20.255 (2) (a) (1) (b)~~ for the school concerned.

SECTION 1425. 115.76 (2) of the statutes is amended to read:

115.76 (2) "Child" means any person under the age of 21 years and, for the duration of a school term, any person who becomes 21 years old during that school term, except as otherwise provided.

SECTION 1426c. 115.86 (5) of the statutes is renumbered 115.86 (5) (a) and amended to read:

115.86 (5) (a) The board shall have charge of all matters pertaining to the organization, equipment, operation and maintenance of such programs and may do all things necessary to perform its functions, including, without restriction because of enumeration, the authority to erect buildings subject to county board approval and employ teachers and other personnel. The board shall prepare an annual budget, which shall be subject to approval of the county board under s. 65.90 unless a resolution is adopted under sub. (9) (c), and shall include, ~~without limitation because of enumeration,~~ funds for the hiring of staff, the purchase of materials, supplies and equipment and the operation and maintenance of buildings or classrooms.

SECTION 1426g. 115.86 (5) (b) of the statutes is created to read:

115.86 (5) (b) 1. At the close of each fiscal year, the board shall authorize an audit of its accounts under subd. 2 or employ a licensed accountant to audit its accounts and certify the audit. The cost of the audit shall be paid from board funds.

2. The board may request the department of revenue in accordance with s. 73.10 (5) to audit the board's accounts, install a system of accounts compatible with the uniform financial accounting system prescribed in s. 115.28 (13) and advise and make recommendations concerning current financial practices and procedures.

3. The department shall establish by rule a standard contract and minimum standards for audits performed under this paragraph.

SECTION 1426n. 115.86 (9) (c) of the statutes is created to read:

115.86 (9) (c) Upon the adoption of a resolution by a majority of the school boards that are located in whole or in part in the county and are participating in the county program under sub. (2) (c), this subsection shall not apply commencing on the effective date of the resolution. A resolution adopted under this paragraph between January 1 and June 30 in any year shall be effective on January 1 of the year commencing after its adoption. A resolution adopted under this paragraph between July 1 and December 31 in any year shall be effective on January 1 of the 2nd year commencing after its adoption. In the year in which the resolution is effective, the county budget under s. 59.84 or 65.90 shall include a line item for the special education program.

SECTION 1426r. 115.86 (10) of the statutes is amended to read:

115.86 (10) STATE AIDS. (a) The board may apply for and receive the state aid under subch. III of ch. 121, ~~ss. 115.88, 121.135 and 121.14~~ and s. 115.88 for the transportation, board and lodging, treatment and instruction of children participating in programs under this section.

(b) The board may apply for and receive the state aid under ss. 121.135 and 121.14. This paragraph does not apply beginning on the effective date of a resolution adopted under sub. (9) (c).

(c) All state aid shall be paid to the county treasurer and credited to the fund of the board.

SECTION 1426w. 115.86 (11) of the statutes is created to read:

115.86 (11) VIOLATIONS. The state superintendent shall withhold aid from any board that is in violation of this section.

SECTION 1428. 115.88 (1) (intro.) and (b) and (2) of the statutes are amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to ~~68%~~ 63% of the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any authorized contract for physical or occupational therapy services, except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the ~~appropriations~~ appropriation under s. 20.255 (1) (bd) and (4) (bd). ~~The amount of aid paid to any county, agency or school district under this subsection shall be reduced by any amounts received by that county, cooperative educational service agency or school district under s. 115.88 (7), 1973 stats., for the same school year (2) (b).~~

(b) Salaries of senior level school psychologists and senior level school social workers shall be reimbursed at ~~55%~~ 51% without regard to whether they are employed in a program for handicapped children. The school district, county handicapped children's education board or cooperative educational service agency shall include in the report under s. 115.84 any information required by the state superintendent relating to use of a school psychologist or school social worker.

(2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the state superintendent is satisfied that the transportation of children with exceptional educational needs has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~68%~~ 63% of the amount expended for such transportation. Pupils for whom aid

is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriation under s. 20.255 ~~(1) (bd)~~ (2) (b). This subsection applies to any child with exceptional educational needs who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with exceptional educational needs attending regular or special classes who does not require any special or additional transportation.

SECTION 1429. Chapter 116 (title) of the statutes is amended to read:

CHAPTER 116  
COOPERATIVE EDUCATIONAL SERVICE  
AGENCIES ~~AND AGENCY SCHOOL COMMITTEES~~

SECTION 1430. Subchapter I (title) of chapter 116 of the statutes is repealed.

SECTION 1431. 116.01 of the statutes is amended to read:

**116.01 Purpose.** The organization of school districts in Wisconsin is such that the legislature recognizes the need for a service unit between the local school district and the state superintendent. The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin ~~and as a convenience for school districts in cooperatively providing to teachers, students, school boards, administrators and others, special educational services by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership and coordination services for school districts, including, without limitation because of enumeration, such programs as curriculum development assistance, school district management development, coordination of vocational education and exceptional education, research, special student classes, human growth and development programs, data collection, processing and dissemination, and in-service programs and liaison between the state and local school districts.~~

SECTION 1432. 116.02 (1) (a) of the statutes is amended to read:

116.02 (1) (a) Each agency shall be governed by a board of control composed of members of school boards of districts within the agency. There shall be no more than one member from the same school board. There shall be no more than one member from the territory comprising a union high school district and its underlying elementary school districts. Annually on or after the 4th Monday in April, the school board of each district in the agency shall appoint one of its members as its representative for the purpose of determining the composition of the board of control. For the purpose of determining membership on the board of control, a school district operating elementary grades only and lying in more than one union high school district shall be considered part of the union high school district territory in which the major portion of its equalized valuation lies. The board of control shall hold an annual organizational meeting on the 2nd Monday in August, unless, at the direction of the convention under par. (c) ~~or on its own motion if par. (b) is applicable~~, the board of control at the annual organizational meeting in any year determines to thereafter hold the annual organizational meeting on an earlier date. No annual organizational meeting may be held prior to the 2nd Monday in May. If the board of control at the annual organizational meeting determines to thereafter hold the annual organizational meeting prior to the 2nd Monday in August, it shall within 30 days of that decision give notice in writing of the decision to the clerk of each district within the agency and the state superintendent.

SECTION 1433. 116.02 (1) (b) of the statutes is repealed.

SECTION 1434. 116.02 (1) (c) of the statutes is amended to read:

116.02 (1) (c) ~~If there are more than 11 school districts in the agency, the~~ The state superintendent shall cause to convene annually on the day that the board of control holds its annual organizational meeting under par. (a) a convention composed of the

representative from each school board in the agency. The secretary to the board of control of the agency shall act as nonvoting secretary to the convention. In the secretary's absence the convention shall appoint an acting secretary from among the representatives to the convention. Upon the convening of the convention the representatives from all school boards within each union high school district territory, meeting separately, shall elect a single representative to represent the territory in the election of members of the board of control. After the meeting for election of a single representative from each union high school district territory, the convention ~~shall formulate a plan of representation for the agency and~~ shall elect the members of the board of control, not to exceed 11 in number, in accordance with the plan of representation for the agency adopted under par. (d). The members of the board of control shall be elected for staggered 3-year terms and shall be chosen from among the representatives elected to represent each union high school district territory and the representatives appointed by the school boards of districts operating both elementary and high school grades. The convention may direct the board of control to determine a different date for the annual organizational meeting.

SECTION 1434m. 116.02 (1) (d) of the statutes is created to read:

116.02 (1) (d) The annual convention shall formulate an initial plan of representation for the agency. Subsequent annual conventions shall adhere to the initial plan of representation unless a petition proposing a different plan of representation, signed by at least 25% of the presidents of school districts within the agency, is filed with the chairman of the board of control at least 30 days prior to the date of the convention. Within 5 days after receipt of the petition, the chairman of the board of control shall notify the school board of each school district within the agency, in writing, of the petition and of the proposed plan of representation. If the convention approves the proposed plan of representation, it shall be in effect for the election of members of the board of control at that convention and shall remain in effect until further modified under this paragraph.

SECTION 1435. 116.03 (3) of the statutes is amended to read:

116.03 (3) Approve service contracts with school districts, counties, other cooperative educational service agencies and school districts outside the agency, but the contracts shall not extend beyond 3 years. If the service covered by the contract is offered by the agency within which the recipient of service is located the contract shall be subject to approval by the board of control of the agency. The board of control of an agency which borders another state may contract to provide services to an educational agency in the other state, but no aid received under s. 116.08 may be used to provide such services. No board of control may use federal funds for any program which provides services outside this state without the approval of the state superintendent.

SECTION 1436. 116.03 (5) of the statutes is amended to read:

116.03 (5) ~~Appoint~~ Except as provided under s. 116.04 (1), appoint and contract with an agency administrator, for a term of not more than 3 years, with qualifications established by rule by the state superintendent ~~but at least equal to the highest level of certification required for school district administrators, who shall be considered a teacher as defined by s. 40.02 (55) and subject to ch. 40.~~

SECTION 1438. 116.03 (13) of the statutes is renumbered 116.03 (14).

SECTION 1439. 116.03 (13) of the statutes is created to read:

116.03 (13) Every 3rd year, as scheduled by the state superintendent, submit to the state superintendent for his or her approval an evaluation of agency programs and services.

SECTION 1440. 116.04 of the statutes is renumbered 116.04 (2).

SECTION 1441. 116.04 (1) of the statutes is created to read:

116.04 (1) (a) 1. Beginning with the 1984-85 school year, and thereafter within a reasonable period of time after notice of a vacancy or impending vacancy by a board of control, the state superintendent shall submit to the board of control the names of at least 3 persons for possible appointment as agency administrator. Upon the request of the board of control, the state superintendent shall submit the names of 3 additional persons for possible appointment as agency administrator.

2. The board of control shall appoint and contract with one of the persons for a term of not more than 3 years. The board of control may renew the agency administrator's contract for a term of not more than 3 years.

(b) The state superintendent shall by rule establish qualifications and procedures for the selection of agency administrator candidates under par. (a) 1.

SECTION 1442. 116.055 of the statutes is created to read:

**116.055 Real property.** The board of control may purchase, hold, encumber and dispose of real property, in the name of the agency, for use as its office or for any educational service provided by the agency if a resolution to do so is adopted by a two-thirds vote of the members of the board of control and then approved by three-fourths of the school boards in the agency by majority vote of each school board. Aid received under s. 116.08 may be used for the acquisition and maintenance of real property under this section.

SECTION 1443. 116.08 (title) of the statutes is amended to read:

**116.08 (title) State and local aid.**

SECTION 1444. 116.08 (1) of the statutes is amended to read:

116.08 (1) An amount not to exceed \$25,000 in the 1983-84 school year and \$50,000 annually thereafter shall be paid to each agency for the maintenance and operation of the office of the board of control and agency administrator and to match any federal funds received by the agency for vocational education administration. No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.

SECTION 1445. 116.08 (5) of the statutes is created to read:

116.08 (5) (a) In this subsection:

1. "Agency average daily membership" means the sum of the average daily memberships of the school districts in the agency.

2. "Average daily membership" has the meaning specified in s. 121.004 (6).

(b) Beginning in the 1984-85 school year and annually thereafter, each school board shall pay to the board of control of the agency of which it is a part an amount equal to the amount of state aid paid to the agency in that year under sub. (1) multiplied by a fraction consisting of the school district average daily membership as the numerator and the agency average daily membership as the denominator.

SECTION 1446. Subchapter II of chapter 116 of the statutes is repealed.

SECTION 1447. 117.005 of the statutes is created to read:

**117.005 School district boundary appeal board.** (1) DEFINITION. In this chapter "board" means the school district boundary appeal board.

(2) EXPENSES. The state superintendent shall maintain a record of board expenses, including an allowance of 20 cents per mile for travel to and returning from the place of a board meeting by the usually traveled route, and shall certify the approved amount to the department of administration for payment from the appropriation under s. 20.255 (1) (jz).

SECTION 1448. 117.01 (1) (b), (d) 5 and (2) of the statutes are amended to read:

117.01 (1) (b) Jurisdiction of ~~a state~~ an appeal to the board is acquired upon the filing of a notice of appeal with the state superintendent under s. 117.03.

(d) 5. During the pendency of an appeal to ~~a state appeal~~ the board and until the expiration of 30 days following the date of mailing by the secretary of the board under sub. (2) (c).

(2) REORGANIZATION ORDER. (a) Every order of school district reorganization shall state the school districts from which any territory is detached, describe such territory and indicate the territory included within the reorganized school district. When the order creates a new school district, the order also shall name the school district, state the type of school district pursuant to s. 115.01 (3) and the grades to be taught by the district pursuant to s. 115.01 (2), designate the number of school board members under s. 120.01, 120.42 or 120.72 and the method of election under s. 120.06 or 120.43 and fix the time and place for the first annual meeting if one is to be held. The secretary of the ~~agency school committee with whom the order is filed~~ board shall give notice of the first annual meeting, if one is to be held, under s. 120.08 (1) (c) and shall ~~set or~~ designate a person to act as temporary chairman of the annual meeting until a chairman is elected.

(b) Every order of school district reorganization shall state the date on which it is to take effect, which date shall be not more than one year from the day it is filed nor less than 30 days from the date it is mailed to the proper officials by the secretary of the ~~agency school committee~~ board. Unless a later date is specified therein, the effective date of an order on which a referendum is held shall be the date the referendum result is certified to the secretary of the ~~agency school committee~~ board, if the referendum approves the order. An appeal to ~~a state appeal~~ the board shall stay an order. Unless a later date is specified therein, the effective date of an order of school district reorganization appealed to the ~~state appeal~~ board shall be 30 days after mailing of the ~~state appeal~~ board order under par. (c), if there has been no appeal to the circuit court within such 30 days. An appeal to circuit court shall stay an order. Unless a later date is specified therein, the effective date of an order of school district reorganization appealed to the circuit court shall be 60 days after service of notice of entry of the circuit court order affirming the order, if there has been no appeal to the court of appeals within such 60 days. An appeal to the court of appeals shall stay an order. The effective date of an order appealed to the court of appeals shall be the date on which the court of appeals mandate holding the order valid is filed with the clerk of the circuit court. An order shall be presumptive evidence of the facts recited therein and of the validity of all proceedings preliminary thereto.

(c) A certified copy of any order reorganizing a school district or denying such reorganization shall be filed within 10 days after it is made with the secretary of the ~~agency school committee in which the proposed reorganized school district lies~~ board. Upon receipt of the order, the secretary of the ~~agency school committee~~ board immediately shall place thereon the date upon which it was received and, within 5 days after receipt thereof, shall send by certified mail a certified copy of the order together with a certification of the date of mailing of the copy to the clerk of each school district, town, village, city and county affected and to the state superintendent. ~~When the territory of a proposed reorganized school district lies within more than one co-operative educational service agency, the order shall be filed with the secretary of the agency school committee of the agency in which the largest area of the reorganized district lies and that secretary shall mail certified copies thereof to the state superintendent, the clerks named in this paragraph and the secretary of the agency school committee of each other agency affected.~~

(d) The appeal and referendum period shall run from the date the certified copies of the order are mailed by the secretary. When the results of a referendum have been canvassed, the proper clerk shall certify the results to the secretary of the ~~agency school committee with whom the order was filed~~ board, and the secretary shall notify the officers who received a copy of the order of the results of the referendum.

SECTION 1448m. 117.01 (1) (d) 2 of the statutes is repealed.

SECTION 1449. 117.01 (4) (a) of the statutes is repealed.

SECTION 1450. 117.01 (4) (b) 1 and 2 of the statutes are amended to read:

117.01 (4) (b) 1. In creating a new unified, common or union high school district, the order of school district reorganization shall direct the election of a school board under s. 120.06, insofar as applicable, and shall designate the date of the first election of school board members, which shall be after the time for the appeal to the state appeal board has expired and not later than 4 months after the effective date of the order.

2. ~~In the event of an appeal to the state appeal board under sub. (2) (b), the secretary of the agency school committee shall set a new date for the election which shall be at least 30 days after the mailing of the state appeal board order under sub. (2) (c) and not later than 5 months after such mailing. An appeal to the circuit court shall invalidate any election date set after an appeal to the state appeal board.~~ In the event of an appeal to the circuit court, the secretary of the ~~agency school committee~~ board shall set a new date for the election which shall be at least 60 days after service of notice of entry of the circuit court order affirming the reorganization order and not later than 6 months after such service. An appeal to the court of appeals shall invalidate any election date set after an appeal to the circuit court. In the event of an appeal to the court of appeals, the secretary of the ~~agency school committee~~ board shall set a new date for the election which shall be not later than 4 months after the date on which the court of appeals mandate holding the order valid is filed with the clerk of the circuit court. No election date may be set, either under this subdivision or under subd. 1 which would require the filing of a declaration of candidacy prior to the expiration of the relevant appeal period.

SECTION 1451g. 117.02 (title), (1) (title), (a), (b) and (c) and (2) to (7) of the statutes are repealed.

SECTION 1451r. 117.02 (1) (am) of the statutes is renumbered 117.03 (3) (b), and 117.03 (3) (b) (intro.), as renumbered, is amended to read:

117.03 (3) (b) (intro.) The ~~agency school committee~~ board shall consider and weigh the following factors as they affect the educational welfare of all the children of all the school districts affected by the proposed reorganization in reaching its decision under par. (a), and may consider and weigh other appropriate factors:

SECTION 1456. 117.02 (8) of the statutes is renumbered 117.06 (4) and amended to read:

117.06 (4) The state superintendent shall advise and consult with the ~~agency school committees~~ school boards. If in his the state superintendent's opinion one or more school districts should be created, altered, consolidated or dissolved, he or she may make his recommendations to the ~~agency school committee of each co-operative educational service agency within which the territory affected lies~~ school boards.

SECTION 1457. 117.03 (title) and (1) of the statutes are amended to read:

**117.03 (title) Appeals.** (1) (a) Any person aggrieved by an order of an ~~agency school committee granting or denying a proposed reorganization~~ under s. 117.08 (2) or (3) (b) may appeal to a ~~state appeal~~ the board by filing a notice of appeal with the state superintendent within 30 days following the mailing of the order under s. 117.01 (2) (c).

(b) Any person aggrieved by the failure of ~~an agency school committee~~ to make an order ~~granting or denying a proposed reorganization under s. 117.08 (2) or (3) (b)~~ within ~~90~~ 60 days after the filing of a petition or ~~the adoption of a resolution by an agency school committee acting on its own motion~~ may appeal to a ~~state appeal~~ the board within 30 days following the expiration of said ~~90~~ 60 days.

(c) No appeal to a ~~state appeal~~ the board may be withdrawn.

SECTION 1458. 117.03 (2) of the statutes is repealed.

SECTION 1458m. 117.03 (3) of the statutes is renumbered 117.03 (3) (a) and amended to read:

117.03 (3) (a) The state superintendent shall set a time and place for the ~~state appeal~~ board to meet. The ~~state appeal~~ board by a majority vote of its members shall make such order as it deems proper under the circumstances to affirm, reverse or modify the order appealed from under sub. (1) (a) or shall make an order granting or denying school district reorganization upon an appeal under sub. (1) (b). The order shall include a statement of the reasons for the order and shall be filed under s. 117.01 (2) (c). Failure of a ~~state appeal~~ the board to make an order within 120 days after notice of appeal is filed under sub. (1) shall constitute a denial of the appeal.

SECTION 1459m. 117.03 (4) of the statutes is amended to read:

117.03 (4) Any person aggrieved by an order of a ~~state appeal~~ the board which provides school district reorganization may appeal therefrom to a circuit court of any county in which any territory of the proposed reorganized school district lies. Within 30 days after the date the copies of the order of a ~~state appeal~~ the board are mailed under s. 117.01 (2) (c), a written notice of appeal stating specifically the grounds upon which the appeal is based shall be served on the state superintendent as chairman of the ~~state appeal~~ board and filed with the clerk of court.

SECTION 1460d. 117.035 (1) (title), (a) and (b) and (3) of the statutes are amended to read:

117.035 (1) (title) ON ORDER OF SCHOOL BOARDS. (a) If Except as provided under sub. (4), if within 30 days after the date of mailing of an order of school district reorganization issued under s. ~~117.02~~ 117.08, a petition requesting a referendum on the order and signed by a sufficient number of the electors of the territory included in the proposed reorganized school district is filed under par. (c), the order shall not become effective until it has been approved at the referendum by both a majority of those electors voting at the referendum who reside within that portion of the proposed reorganized school district territory lying in cities and villages and by a majority of those electors voting at the referendum who reside within that portion of the proposed reorganized school district territory lying in towns. A sufficient number of petitioners is 500 of the electors who reside in the proposed reorganized school district, or 10% of such electors who reside in cities and villages or 10% of such electors who reside in towns. Upon ~~its~~ their own motion at the time of issuing an order of school district reorganization ~~or at any time after issuing the order and within 30 days after the order is mailed, the agency school committee under s. 117.08, the school boards~~ may direct the holding of a referendum upon the order. By resolution adopted within 30 days after the order is mailed, the common council of any city affected by an order of school district reorganization issued under ~~this section s. 117.08~~ may demand the holding of a referendum upon such order.

(b) When an order of school district reorganization issued under s. 117.08 either consolidates 2 or more common school districts operating high school grades or attaches territory to a common school district operating high school grades and 2 or more sites have been proposed for the high school in the proposed reorganized school district, the referendum petition may designate one of the proposed sites and, at the discretion of the ~~agency school committee~~ school boards acting under s. 117.08, the referendum may be

upon approval of such site as well as upon approval of the order. In such case, the ballots shall contain a single question on the approval of the order and the site of the high school.

(3) (title) **ON ORDER OF THE BOARD.** Any order issued by ~~a state appeal~~ the board under s. 117.03 which constitutes, affirms or modifies an order of school district reorganization, is subject to approval at a referendum if a petition for a referendum is has been or is subsequently filed as provided under ~~sub. subs. (1) and (2)~~ in the case of ~~agency school committee~~ school board orders, or if a referendum is directed by the motion of the ~~state appeal~~ board, or if, within 30 days after the date of mailing of the order under s. 117.01 (2) (c), a referendum is demanded by adoption of a resolution by the common council of any city affected by the order. The referendum shall be conducted as provided under ~~sub. subs. (1) and (2)~~.

SECTION 1460h. 117.035 (2) of the statutes is repealed and recreated to read:

117.035 (2) **CONCURRENT APPEAL AND REFERENDUM.** If under sub. (1) a petition is filed or resolution adopted or the school boards direct the holding of a referendum, and an appeal is filed under s. 117.03 relating to the same order of school district reorganization, the referendum shall not be held until after an order has been issued by the board under s. 117.03. If the board affirms the order appealed from without modification, the referendum shall be conducted as provided under sub. (1) not less than 30 days nor more than 90 days from the date of mailing under s. 117.01 (2) (c), except that if the spring or general election is to be held within 90 days from the date of mailing, the referendum shall be held on the date of the spring or general election. If the board modifies or reverses the order appealed from, no referendum shall be held unless a separate petition is filed under sub. (3) or a referendum is directed or demanded under sub. (3).

SECTION 1460p. 117.035 (4) of the statutes is created to read:

117.035 (4) **CONSOLIDATION WITHOUT OTHER ALTERATION.** Any order of school district reorganization issued under s. 117.03 or 117.08 which consolidates 2 or more school districts without altering the boundaries of any other school district, for which a referendum has been directed under sub. (1) or (3), shall not become effective until it has been approved at the referendum by each affected school district by a majority vote of the electors voting within each school district.

SECTION 1460t. 117.04 of the statutes is repealed.

SECTION 1462. 117.06 (title) and (1) of the statutes are amended to read:

**117.06 (title) Consolidation of school districts by referendum.** (1) When Upon the filing of a petition signed by 10% of the electors in each of 2 or more common school districts or in each of 2 or more union high school districts file a petition requesting a consolidation of their school districts, or upon the adoption of a resolution to consolidate by the school boards of such school districts, the school boards of the districts affected shall meet at a time and place designated by the school board of the most populous school district to fix a time for a referendum to determine whether the school districts shall be consolidated. Each school board receiving a petition or adopting a resolution under this section immediately shall send notice of the filing of the petition or adoption of the resolution to the secretary of the ~~agency school committee of each co-operative educational service agency in which the school district lies~~ board. The referendum shall be not less than 2 nor more than 4 weeks from the date of such meeting. The referendum shall be called for 8 p.m. at the regular places for holding the school district meetings. The school district clerks shall give notice of the referendum as notice of an annual school district meeting is given. The referendum shall be conducted by the respective school boards, and the vote shall be by ballot. Within 3 days after the referendum, each school board shall report the result of the referendum in its school district to the clerk of the school district in which the meeting was held to fix the time of the referendum. One week after the referendum the school boards shall meet at said place, shall canvass the returns

and shall file a report of the results with the state superintendent ~~and the secretary of each such agency school committee.~~

SECTION 1464m. 117.07 of the statutes is repealed and recreated to read:

**117.07 Change of common or union high school district to unified school district; change of unified or union high school district to common school district.** (1) A common school district operating elementary and high school grades or a union high school district may be changed into a unified school district, and a unified school district or a union high school district may be changed into a common school district, if at least 30 days prior to the spring election a petition requesting such a change is filed with the school district clerk signed by 10% of the electors residing in the school district.

(2) (a) The petition shall state that the school board of the common, union high or unified school district shall become the first school board of the unified or common school district. Upon receipt of the petition, the school district clerk shall publish a class 1 notice, under ch. 985, of the filing of the petition. The notice shall include the date, time and place at which the school board shall hold a public hearing on the proposed change. The public hearing shall be held at least 7 days prior to the date of the spring election.

(b) The school district clerk shall include in the notice of the spring election a statement that the election ballot will include a question on the change requested by the petition. The form of the ballot shall correspond to the form prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a) and the question on the ballot shall be:

“Shall the .... (name of school district) be a .... (type of school district structure set forth in the petition)?

Yes ....

No ....”

(3) If a majority of the electors voting at the spring election vote in favor of the change, the school board shall issue an order of school district reorganization effective on the July 1 following the spring election. A certified copy of the order shall be filed as provided under s. 117.01 (2) (c).

SECTION 1465. 117.08 of the statutes is repealed and recreated to read:

**117.08 Attachment of parcels by school boards.** (1) (a) The owner of an individual parcel of property or 10% of the electors residing in territory proposed to be detached from one school district and attached to an adjoining school district may file a written petition with the clerks of the school boards of the affected school districts requesting that the parcel or territory be detached from its present school district and attached to an adjoining school district. The petition shall include a description of the parcel or territory sufficiently accurate to determine its location and the school district in which it is located, as certified by the clerk of each city, town or village within which all or part of the parcel or territory is located. Upon receipt of the petition, each school board shall send a copy of the petition to the state superintendent.

(b) Within 45 days of receipt of the petition under par. (a), the school boards shall hold a joint public hearing at a time and place designated by the school board of the school district from which the parcel or territory is proposed to be detached. Notice of the proposed transfer and of the hearing, with a description of the parcel or territory proposed to be transferred, shall be published at least 10 days prior to the hearing by the clerk of each school district as a class 1 notice, under ch. 985, in the school districts affected by the proposed transfer. The school board of the school district from which the property is proposed to be detached shall designate a chairman for the hearing and provide for a stenographic record or an electronic recording of the hearing.

(c) The school boards may detach all or a portion of the parcel or territory from its present school district and attach it to the adjoining school district by a resolution adopted by a majority of the members of each school board present and voting, after considering and weighing the factors under s. 117.03 (3) (b). The resolution shall constitute an order of school district reorganization and shall be filed as required by s. 117.01 (2). Action by either school board denying the petition or failure to act on the petition within 45 days after its filing constitutes denial of the petition and termination of jurisdiction.

(2) If the assessed value of the parcel or territory described in the petition under sub. (1) (a), multiplied by its assessment ratio, is equal to or greater than 5% of the equalized valuation of the school district from which the parcel or territory is proposed to be detached, an order of school district reorganization under sub. (1) (c) is appealable under s. 117.03.

(3) (a) If the assessed value of the parcel or territory described in the petition under sub. (1) (a), multiplied by its assessment ratio, is less than 5% of the equalized valuation of the school district from which the parcel or territory is proposed to be detached, any person aggrieved by an order or failure to make an order under sub. (1) (c) may request review by a mediator by filing a written request with the state superintendent within 30 days of the date of the order under sub. (1) (c). Upon receipt of the request, the state superintendent shall appoint a qualified disinterested person to act as a mediator.

(b) The mediator shall inform himself or herself relative to the review by methods established by the state superintendent by rule. The mediator shall make written findings of fact and recommendations for resolution of the review and shall send the findings and recommendations, by registered mail, to the person aggrieved and to the school boards of the school districts affected by the transfer or proposed transfer within 60 days of his or her appointment as a mediator. The school boards shall act on the recommendations within 30 days of receipt of the recommendations by adopting a resolution affirming, modifying or reversing the resolution adopted under sub. (1) (c). This resolution shall constitute an order of school district reorganization, shall be filed as required under s. 117.01 (2) and is appealable under s. 117.03.

(4) The state superintendent may charge a person requesting review by a mediator under sub. (3) (a) or appealing to the board under subs. (2) and (3) (b) a fee sufficient to reimburse the department for the costs of the mediator and the board.

SECTION 1466. 117.09 (1) of the statutes is amended to read:

117.09 (1) If a school district for 2 or more successive years has failed to operate a school as required by law, the territory of such school district shall be attached to one or more school districts that do operate schools by the ~~appropriate agency school committee pursuant to s. 117.02~~ board under this section. Within 60 days of the date on which a school district becomes subject to this section, the state superintendent shall so notify the school district clerk, and the clerk of each municipality in which part of the school district lies ~~and the secretary of the agency school committee of each co-operative educational service agency in which the school district lies~~. Prior to August 30 of the year in which the school district becomes subject to this section, the ~~agency school committee~~ board shall issue an order of school district reorganization attaching the school district to one or more operating school districts. Notwithstanding s. 117.01 (2) (b), orders issued under this section shall take effect upon being filed as provided in s. 117.01 (2) (c). The school board of each district to which any territory is attached under this section shall levy and collect a special tax against the property in the territory so attached for such amount as is payable for tuition and transportation, at the time of the attachment, by the school district in which the attached territory was located prior thereto, in the proportion that the equalized valuation of the attached territory bears to the total equalized valuation of the school district in which such territory was located prior to such attachment.

SECTION 1467. 117.09 (2) of the statutes is repealed.

SECTION 1468. 117.09 (3) of the statutes is amended to read:

117.09 (3) If an order issued under this section is voided, the nonoperating school district shall arrange for the attendance of its pupils at the schools of one or more other school districts on a nonresident tuition basis, and shall provide transportation to and from such schools by the methods provided in s. 121.55 for all of its pupils who reside 2 miles or more from the school they attend. Until a valid order has been issued, the nonoperating school district may use such funds on hand as have been raised or appropriated for operation and maintenance or levy taxes to pay for such tuition and transportation. If an order is voided, the ~~agency school committee~~ board shall issue new orders of school district reorganization within the succeeding year.

SECTION 1468m. 118.04 (4) of the statutes is amended to read:

118.04 (4) Shall not charge tuition for attendance at summer classes of pupils who are residents of the school district if the school board receives aid for such classes under s. 121.14. The school board may establish and collect reasonable fees for social, recreational or extracurricular summer classes and programs which are neither credited toward graduation nor aided under s. 121.14.

SECTION 1469. 118.255 (4) of the statutes is amended to read:

118.255 (4) If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law he or she shall certify to the department of administration in favor of each school board, cooperative educational service agency and county handicapped children's education board maintaining such health treatment services, an amount equal to ~~68%~~ 63% of the amount expended for items listed in s. 115.88 (1) by the school board, cooperative educational service agency and county handicapped children's education board during the preceding year for these health treatment services. The department of administration, upon such certification shall distribute the amounts to the appropriate school board, cooperative educational service agency and county handicapped children's education board.

SECTION 1469g. 119.12 (6) of the statutes is amended to read:

119.12 (6) The city attorney of the city shall be the legal advisor of and attorney for the board, except that the board may retain an attorney to represent the board in any action or proceeding brought for or against the board if the board determines that the city attorney cannot adequately represent the interest of the board due to an inability to provide the necessary legal counsel, a lack of expertise or a conflict of interest.

SECTION 1469r. 119.52 (5) (a) of the statutes is amended to read:

119.52 (5) (a) All contracts shall be made in the name of the city, shall be executed by the president and secretary-business manager of the board and countersigned by the comptroller, and shall be approved as to form and execution by the city attorney or the attorney retained by the board under s. 119.12 (6). A performance bond in the principal amount of the contract shall be required on all contracts let by the board.

SECTION 1470. 120.02 (3) (d) of the statutes is amended to read:

120.02 (3) (d) ~~If an agency school committee~~ a school board in its order creating a school district under s. 117.07 (3) designates a school board of 5, 7 or 9 members, it shall prepare a plan for allocating terms in accordance with this subsection. If a union high school district is established under s. 117.05, the state superintendent shall prepare a plan for allocating terms in accordance with this subsection.

SECTION 1470m. 120.11 (4) of the statutes is amended to read:

120.11 (4) The proceedings of a school board meeting shall be published within 45 days after the meeting as a class 1 notice, under ch. 985, in a newspaper published in the school district, if any, or publicized by school district-wide distribution prepared and directed by the school board and paid out of school funds. If there is no newspaper published in the school district, the proceedings shall be posted or published as the school board directs. For the purpose of publication, the proceedings shall include the substance of every official action taken by the school board at the meeting and a statement of ~~each receipt and expenditure exceeding \$100, but salaries may be listed~~ receipts and expenditures in the aggregate. The school board shall make a detailed record of all receipts and expenditures available to the public for inspection at each school board meeting and upon request.

SECTION 1471. 120.13 (26m) of the statutes is created to read:

120.13 (26m) CONTRACTS WITH COUNTY HANDICAPPED CHILDREN'S EDUCATION BOARDS. Contract with a county handicapped children's education board for special education services. The costs of such services shall be included in the school district's shared cost under s. 121.07 (6). This subsection applies beginning on the effective date of a resolution adopted under s. 115.86 (9) (c).

SECTION 1472. 120.14 (1) of the statutes is amended to read:

120.14 (1) At the close of each fiscal year, the school board of each school district shall authorize an audit of the school district accounts pursuant to sub. (2) or employ a licensed accountant to audit the school district accounts and certify the audit. ~~The~~ If required by the state superintendent under s. 115.28 (18), the audit shall include an audit of the number of pupils reported for membership purposes under s. 121.004 (8). The cost of the audit shall be paid from school district funds.

SECTION 1473g. 121.004 (5) (c) of the statutes is renumbered 121.004 (5) (c) 1. (intro.) and amended to read:

121.004 (5) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only if the pupil attains the age permitted under s. 115.28 (8) or required under s. 118.14 for kindergarten admission. A kindergarten pupil shall be counted as one-half pupil. except that:

SECTION 1473r. 121.004 (5) (c) 1. a and b and 2 of the statutes are created to read:

121.004 (5) (c) 1. a. A kindergarten pupil enrolled in a program requiring full-day attendance for 5 days a week for an entire school year shall be counted as one pupil.

b. A kindergarten pupil enrolled in a program requiring full-day attendance for less than 5 days a week for an entire school year shall be counted as the result obtained by multiplying the number of hours in each day in which the pupil is enrolled by the total number of days for which the pupil is enrolled, and dividing the result by the product of the number of hours of attendance per day required of first grade pupils in the school district multiplied by 180.

2. In subd. 1. a and b, "full-day" means the length of the school day for pupils in the first grade of the school district operating the kindergarten program.

SECTION 1474. 121.004 (5) (d) of the statutes is amended to read:

121.004 (5) (d) A pupil enrolled in a preschool program under subch. V of ch. 115 who is 3 ~~to~~ 5 years of age or older shall be counted as one-half pupil.

SECTION 1475g. 121.05 (1) (a) 1 of the statutes is amended to read:

121.05 (1) (a) 1. Pupils enrolled concurrently in the school district and in a special education program operated by a county handicapped children's education board and in facilities of the school district. This subdivision does not apply beginning on the effective date of a resolution adopted under s. 115.86 (9) (c);

SECTION 1475r. 121.05 (1) (a) 6 of the statutes is created to read:

121.05 (1) (a) 6. Pupils enrolled in a special education program operated by a county handicapped children's education board under contract with the school board. This subdivision applies beginning on the effective date of a resolution adopted under s. 115.86 (9) (c).

SECTION 1476. 121.06 (3) of the statutes is created to read:

121.06 (3) Beginning in the 1984-85 school year and thereafter, for purposes of computing state aid under s. 121.08 equalized valuations calculated under sub. (1) and certified under sub. (2) shall exclude property taxed under s. 70.114, 70.116, 70.117 or 70.175, 1981 stats.

SECTION 1478am. 121.07 (7) (a) of the statutes is renumbered 121.07 (7) (a) (intro.) and amended to read:

121.07 (7) (a) (intro.) The "primary guaranteed valuation per member" shall be ~~\$231,000~~ \$269,100 in the ~~1981-82~~ 1983-84 school year and ~~\$259,500~~ \$288,600 thereafter, unless the state superintendent requests the joint committee on finance, acting under s. 13.10, to adjust the primary guaranteed valuation per member by June for the following school year. The joint committee on finance may adjust the primary guaranteed valuation per member if the committee determines that:

SECTION 1478g. 121.07 (7) (a) 1 and 2 of the statutes are created to read:

121.07 (7) (a) 1. The primary guaranteed valuation per member will generate total aid entitlements under s. 121.08 and subch. VI in excess of the amount in the appropriation under s. 20.255 (2) (ac), excluding entitlements designated for payment in a succeeding school year, a transfer between appropriations is not feasible and proration of state aid payments among the school districts entitled to such payments would result in a distribution of such aid significantly counter to the aims of the general equalization aid formula under this subchapter; or

2. The primary guaranteed valuation per member will generate a significantly lower level of total aid entitlements under s. 121.08 and subch. VI than the amount appropriated under s. 20.255 (2) (ac), excluding entitlements designated for payment in a succeeding school year.

SECTION 1478r. 121.07 (7) (b) of the statutes is amended to read:

121.07 (7) (b) The "secondary guaranteed valuation per member" shall be an amount rounded to the nearest \$100 determined by ~~dividing~~ multiplying the equalized valuation of the state by 1.06 and dividing the result obtained by the state total membership.

SECTION 1478ta. 121.082 of the statutes is created to read:

**121.082 Equalization aid percentage.** Beginning with the payment of aid under s. 121.08 in the 1985-86 school year, the percentage of total state school aid included in the appropriation under s. 20.255 (2) (ac) shall not be less than the percentage of total state school aid included in the appropriation under s. 20.255 (2) (ac) in the 1984-85 fiscal year.

SECTION 1479. 121.085 (1m) of the statutes is amended to read:

121.085 (1m) No aid under this section may be paid to any school district unless a city or village located within the school district verifies to the department of revenue that it has ~~committed and expended financial resources specifically to development of a tax incremental district~~ adopted a resolution under s. 66.46 (4) (gm) before July 1, 1981 January 1, 1983.

SECTION 1480. 121.10 of the statutes is repealed.

SECTION 1481. 121.11 (2) of the statutes is repealed.

SECTION 1482g. 121.135 (1) of the statutes is amended to read:

121.135 (1) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that any children enrolled and participating in a special education program provided by a county handicapped children's education board under this subchapter and not counted as pupils enrolled under s. 121.05 are receiving the substantial equivalent of an elementary or high school education from those services, the superintendent shall certify to the department of administration from the appropriation under s. 20.255 (4) ~~(ee)~~ (2) (ac) in favor of the county handicapped children's education board providing those services the amount specified under sub. (2) for each pupil enrolled, except as provided under sub. (3). Enrollment for aid purposes shall be determined in accordance with s. 121.05. ~~Aids payable under this subsection shall take effect with the fiscal year beginning July 1, 1973.~~

SECTION 1482r. 121.135 (3) of the statutes is created to read:

121.135 (3) This section does not apply beginning on the effective date of a resolution adopted under s. 115.86 (9) (c), except that in the school year beginning July 1 of the year prior to the effective date of the resolution, the state superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) (ac) in favor of the county handicapped children's education board an amount equal to one-half the amount specified under sub. (2) for each pupil enrolled.

SECTION 1483m. 121.14 (3) of the statutes is created to read:

121.14 (3) References to county handicapped children's education boards under subs. (1) and (2) (b) do not apply beginning on the effective date of a resolution adopted under s. 115.86 (9) (c).

SECTION 1483r. ~~121.15 (1) (a) of the statutes is amended to read:~~

**Vetoed  
in Part**

~~121.15 (1) (a) Each school district shall receive 10% of its total aid entitlement in each month from August to February and 30% of its total aid entitlement in June. Payment shall be made on the 2nd Monday of each month.~~

SECTION 1484m. 121.155 of the statutes is repealed.

SECTION 1484r. 121.54 (1) of the statutes is amended to read:

121.54 (1) CITY OPTION. Subsections (2) and (6) and s. 121.57 do not apply to pupils who reside in ~~cities~~ a school district that contains all or part of a city unless the school they attend is located outside the city but within the boundaries of the school district. Where an annual or special meeting of a common school district or a union high school district, or the school board of a city school district or unified school district determines to provide transportation for such pupils, state aid shall be paid in accordance with s. 121.58 and there shall be reasonable uniformity in the transportation furnished such pupils whether they attend public or private schools. This subsection does not apply to pupils who reside in a ~~city of the school district that contains all or part of a~~ 1st, 2nd or 3rd class city with a population exceeding 40,000 unless transportation for such pupils is available through a common carrier of passengers operating under s. 85.20 or ch. 194.

SECTION 1485. 121.54 (5) of the statutes is amended to read:

121.54 (5) TRANSPORTATION TO VOCATIONAL SCHOOLS. The school board of a district operating high school grades may provide for the transportation or board and lodging of residents of the school district attending vocational, technical and adult education schools outside the school district who are not high school graduates, are less than 20 years of age and attend such schools full time. The school board of such a district may also provide transportation for residents of the district participating in vocational education programs organized cooperatively between school districts under s. 66.30. The school district shall be paid state aid for such transportation or board and lodging in accordance with s. 121.58. This subsection ~~shall~~ does not apply to cases ~~where~~ if the distance between a pupil's home and the vocational, technical and adult education school along the usually traveled public highway is more than 15 miles, ~~except where~~

unless the pupil resides on an approved bus route or ~~where~~ board and lodging are provided.

SECTION 1485m. 121.54 (7) (a) (intro.) and 1 of the statutes are amended to read:

121.54 (7) (a) (intro.) A school board may provide transportation for pupils attending public or private schools, their parents or guardians, authorized chaperones, school officers, faculty and employes and school doctors, dentists and nurses in connection with any extracurricular activity of the public or private school, such as a school athletic contest, school game, after school practice, late activity, school outing or school field trip or any other similar trip when:

1. A school bus ~~which is regularly used by or for the school district~~ or common carrier is used and such transportation is under the immediate supervision of a competent adult ~~employe of the school district and the school bus is operated by a driver regularly used as a bus driver by the school district;~~

SECTION 1486. 121.58 (6) of the statutes is amended to read:

121.58 (6) APPROPRIATION PRORATED. If the appropriations under s. 20.255 ~~(1) (fg) or (4) (fg) (2) (cr) and (q)~~ in any one year are insufficient to pay the full amount of approved claims under this section, state aid payments shall be prorated among the school districts entitled thereto.

SECTION 1486m. 121.79 (1) (c) of the statutes is repealed.

SECTION 1487. Subchapter VII of chapter 121 of the statutes is repealed.

SECTION 1487y. 125.04 (5) (d) of the statutes is amended to read:

125.04 (5) (d) *Operators' and managers' licenses.* Paragraph (a) 2 does not apply to applicants for operators' licenses issued under s. 125.17 or to applicants for managers' licenses issued under s. 125.18 ~~by any municipality other than a 1st class city. In a municipality other than a 1st class city, managers'~~ Managers' licenses may be issued only to applicants who are residents of this state at the time of issuance. ~~In a 1st class city, managers' licenses may be issued only to applicants who are residents of the city for at least one year immediately prior to the filing of the license.~~

SECTION 1489. 125.32 (4) (a) 2 of the statutes is amended to read:

125.32 (4) (a) 2. A restaurant ~~which is not, whether or not it is a part of or located in~~ any mercantile establishment.

SECTION 1489c. 125.51 (4) (k) of the statutes is created to read:

125.51 (4) (k) Notwithstanding the quota of a town, the town board may issue a license to any of the following:

1. An outdoor theater operated by a professional repertory theater company most of whose productions consist of classical drama.

2. A conference center and restaurant used by the staff and patrons of a professional repertory theater company for lodging and meetings.

~~SECTION 1489d. 125.52 (6) of the statutes is repealed and recreated to read:~~

~~125.52 (6) SALES TERRITORY. (a) Before selling any brand of intoxicating liquor to a wholesaler in this state, a manufacturer or restorer holding a permit under this section shall designate the wholesalers to whom it has granted the right to sell that brand and the territory within which each wholesaler may sell it. More than one wholesaler may be designated in a territory. Chapter 135 applies to this paragraph.~~

~~(b) The manufacturer or restorer shall provide the department with the information specified under par. (a) on a form prescribed by the department. A copy of the completed form shall be provided to each wholesaler designated under par. (a) at the same time the form is provided to the department.~~

**Vetoed  
in Part**

(c) The manufacturer or refiner shall notify the department and each affected wholesaler of any change in the information provided under par. (a) within 7 days after the effective date of the change.

**Vetoed  
in Part**

SECTION 1489h. 125.54 (5) of the statutes is repealed and recreated to read:

125.54 (5) SALES TERRITORY. (a) *Retail sales.* A wholesaler shall sell or deliver a brand of intoxicating liquor only to a retailer who holds a license or permit for the operation of premises within the territory designated for the wholesaler under s. 125.52 (6) (a) or 125.58 (4) (a).

(b) *Wholesale sales.* A wholesaler may sell a brand of intoxicating liquor to another wholesaler. The wholesaler making the purchase may resell the intoxicating liquor only to a retailer within the territory designated for the wholesaler from whom the purchase was made.

SECTION 1489p. 125.58 (3) of the statutes is amended to read:

125.58 (3) The annual fee for an out-of-state shipper's permit is \$50 ~~\$250~~.

SECTION 1489r. 125.58 (4) of the statutes is created to read:

125.58 (4) (a) Before selling or shipping any brand of intoxicating liquor to any wholesaler in this state, a permittee under this section shall designate the wholesalers to whom it has granted the right to sell that brand and the territory within which each wholesaler may sell it. More than one wholesaler may be designated in a territory. Chapter 135 applies to this paragraph.

**Vetoed  
in Part**

(b) The permittee shall provide the department with the information specified under par. (a) on a form prescribed by the department. A copy of the completed form shall be provided to each wholesaler designated under par. (a) at the same time the form is provided to the department.

(c) The permittee shall notify the department and each affected wholesaler of any change in the information provided under par. (a) within 7 days after the effective date of the change.

SECTION 1490. 128.17 (1) (c) of the statutes is repealed.

SECTION 1491. 128.17 (1) (e) of the statutes is amended to read:

128.17 (1) (e) Taxes, assessments and debts due the United States, this state or any county, district or municipality.

SECTION 1492. 134.65 (title) of the statutes is amended to read:

**134.65 (title) Cigarette and tobacco products retailer license.**

SECTION 1493. 134.65 (1) of the statutes is amended to read:

134.65 (1) No person shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided or a permit under ss. 139.30 to 139.41 or 139.79 without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.

SECTION 1494. 134.65 (4) of the statutes is amended to read:

134.65 (4) Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. Such records shall be preserved on the licensed premises for 2 years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

SECTION 1494m. 139.03 (2t) of the statutes is amended to read:

139.03 (2t) The rate of tax, effective on ~~June 1, 1982~~ the first day of the 2nd month beginning after publication of this act (1983), and thereafter, is ~~\$1~~ \$1.65 per wine gallon on intoxicating liquor, containing 0.5% or more of alcohol by volume, manufactured or distilled in this state ~~by pollution control facilities as defined in s. 66.521 (2) (h) or from whey which is produced in this state, except that beginning with June 1, 1982, alcohol manufactured or distilled in this state by pollution control facilities as defined under s. 66.521 (2) (h) from brewing wastes that are produced in this state is not subject to the tax under this subsection.~~ The tax shall be computed in accordance with the following table, and the department of revenue shall calculate the equivalent rates for metric containers: [See Figure 139.03 (2t) following]

**Figure: 139.03 (2t)**

Quantity in Wine Gallons	Quantity in Ounces	Tax
Up to and including 1/64 of a gallon	Up to and includ- ing 2	<del>\$.015625</del> <u>\$.025781</u>
More than 1/64 of a gallon to and including 1/32 of a gallon	More than 2 to and including 4	<del>-.03125</del> <u>.051563</u>
More than 1/32 gallon to and including 1/16 of a gallon	More than 4 to and including 8	<del>-.0625</del> <u>.103125</u>
More than 1/16 gallon to and including 1/10 gallon	More than 8 to and including 12.8	<del>-.10</del> <u>.165</u>
More than 1/10 gallon to and including 1 pint	More than 12.8 to and including 16	<del>-.125</del> <u>.20625</u>
More than 1 pint to and including 1/5 gallon	More than 16 to and including 25.6	<del>-.20</del> <u>.33</u>
More than 1/5 gallon to and including 1 quart	More than 25.6 to and including 32	<del>-.25</del> <u>.4125</u>
More than 1 quart to and including 1/2 gallon	More than 32 to and including 64	<del>-.50</del> <u>.825</u>
More than 1/2 gallon to and including 1 gallon	More than 64 to and including 128	<del>1.00</del> <u>1.65</u>

SECTION 1496. 139.30 (14) to (16) of the statutes are created to read:

139.30 (14) "Indian tribe" means a federally recognized Indian tribe in this state.

(15) "Reservation" means all land within the boundaries of the Bad River, Forest County Potawatomi, Lac Courte Oreilles, Lac du Flambeau, Menominee, Mole Lake, Oneida, Red Cliff, St. Croix and Stockbridge-Munsee reservations and the Winnebago Indian communities.

(16) "Enrolled member" means a person whose name appears on the tribal role of an Indian tribe or whose status as an enrolled member of a tribe is recognized by the tribal council of that tribe.

SECTION 1497. 139.31 (1) (intro.) of the statutes is amended to read:

139.31 (1) (intro.) An ~~occupational~~ excise tax is imposed on the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale of cigarettes or other disposition for any purpose whatsoever. The tax is imposed at the

time and place of the first taxable event occurring in this state. The tax shall be passed on to the ultimate consumer of the cigarettes. All cigarettes received in this state for sale or distribution within this state, except cigarettes actually sold as provided in sub. (3), shall be subject to such tax. Any person licensed under ch. 100 and this chapter to have untaxed cigarettes in his or her possession which are lost, stolen, destroyed or which have mysteriously disappeared shall be liable for and shall pay the tax thereon. The tax shall be at the following rates:

SECTION 1499. 139.32 (1) of the statutes is amended to read:

139.32 (1) The tax imposed by s. 139.31 (1) shall be paid by purchase of stamps from the secretary department. To evidence the payment, stamps of the proper denomination shall be affixed to each package ~~or other container~~ in which cigarettes are packed, prior to the first sale within this state. First sale does not include a sale by a manufacturer to a distributor or by a distributor to a permittee who has obtained department approval as provided for in sub. (8) (a) 2. The tax shall be paid only once on each package or container.

SECTION 1500m. 139.32 (5) of the statutes is amended to read:

139.32 (5) Manufacturers and distributors having a permit from the secretary may purchase stamps at a discount of ~~2.4% on or before September 30, 1971. With respect to stamps purchased on or after October 1, 1971, the discount shall be 2.1%~~ 2.0%.

SECTION 1501. 139.32 (7) of the statutes is amended to read:

139.32 (7) If the tax imposed by s. 139.31 (1) is not paid when due, interest shall accrue at the rate of 1.5% per month or a fraction of a month from the date the tax became due until paid.

SECTION 1502m. 139.323 of the statutes is created to read:

**139.323 Refunds to Indian tribes.** The department shall refund 70% of the taxes collected under s. 139.31 (1) in respect to sales on reservations or trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made if all the following conditions are fulfilled:

- (1) The tribal council has filed a claim for the refund with the department.
- (2) The tribal council has approved the retailer.
- (3) The land on which the sale occurred was designated a reservation or trust land on or before January 1, 1983.
- (4) The cigarettes were not delivered by the retailer to the buyer by means of a common carrier, a contract carrier or the U.S. postal service.

SECTION 1503. 139.325 of the statutes is created to read:

**139.325 Agreements with Indian tribes.** The department may enter into agreements with Indian tribes to provide for the refunding of the cigarette tax imposed under s. 139.31 (1) on cigarettes sold on reservations to enrolled members of the tribe residing on the tribal reservation.

SECTION 1504. 139.33 (1) of the statutes is amended to read:

139.33 (1) A use tax is imposed and levied upon the use of cigarettes in this state by any person for any purpose if the ~~occupational excise~~ tax imposed by s. 139.31 has not been paid on such cigarettes. Such tax is levied and shall be collected at the same rates as provided for in s. 139.31. The tax imposed by this section is not applicable to cigarettes subject to the ~~occupational excise~~ tax imposed by s. 139.31 nor to cigarettes exempt from that tax under s. 139.31 (3).

SECTION 1505. 139.33 (3) of the statutes is amended to read:

139.33 (3) No person other than a licensed distributor may import into this state more than 400 cigarettes on which the ~~occupational~~ excise tax imposed by s. 139.31 has not been paid and the container of which does not bear proper stamps. Within 15 days, any such person importing cigarettes shall file with the department a declaration of such cigarettes imported and shall remit therewith the tax on such cigarettes imposed by this section. Members of the armed forces shall not be required to report or pay the tax on cigarettes in their possession if such cigarettes are issued to them by the U.S. government or any of its subdivisions or were purchased in any armed forces post exchange or service store. If the use tax imposed by this section is not paid when due, it shall become delinquent and the person liable for it shall pay, in addition, a penalty of \$25 for each 200 cigarettes. Interest on the delinquent tax and penalty shall accrue at the rate of 1.5% per month or each fraction of a month from the date the tax became due until paid.

SECTION 1506. 139.33 (4) of the statutes is amended to read:

139.33 (4) Sections 139.30 to 139.44 relating to enforcement of the ~~occupational~~ excise tax imposed by s. 139.31 ~~applies~~ apply to enforcement of the use tax imposed by this section.

SECTION 1506m. 139.38 (7) of the statutes is created to read:

139.38 (7) The department may inspect the business records of any retailer doing business on a reservation or on an Indian tribe's trust land.

SECTION 1508. 139.76 (1) of the statutes is amended to read:

139.76 (1) An occupational tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose on or after October 1, 1981, of tobacco products by any person engaged as a distributor of them at the rate of 20% of the manufacturer's established list price to distributors without diminution by volume or other discounts on domestic products. On products imported from another country the rate of tax is 20% of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. The tax attaches at the time the tobacco products are received by the distributor in this state. The tax applies to distributors' floor stocks in this state at the close of business on September 30, 1981.

SECTION 1509. 139.79 (3) of the statutes is repealed and recreated to read:

139.79 (3) Any person holding a cigarette distributor permit under s. 139.34 may obtain a tobacco products distributor permit at no charge, and any person holding a cigarette jobber permit under s. 139.34 may obtain a tobacco products subjobber permit at no charge.

SECTION 1510. 139.81 (3) of the statutes is repealed and recreated to read:

139.81 (3) Any person holding a cigarette salesperson's permit under s. 139.37 may obtain a tobacco products salesperson's permit at no charge.

SECTION 1511. 140.61 of the statutes is amended to read:

**140.61 Radiation monitoring of nuclear power plants.** The department shall take environmental samples to test for radiation emission in any area of the state within 20 miles of a nuclear power plant. The department shall charge the owners of each nuclear power plant in the state ~~a one-time fee of \$30,000 per plant in fiscal year 1980-81 and in succeeding fiscal years shall charge~~ an annual fee of ~~\$10,000~~ \$30,000 per plant, commencing in fiscal year 1983-84, to finance radiation monitoring under this section. The department may change this annual fee by rule.

SECTION 1511b. 140.85 (title) of the statutes is amended to read:

**140.85 (title) Community-based residential facility licensing fees.**

SECTION 1511e. 140.85 (1) of the statutes is repealed and recreated to read:

140.85 (1) DEFINITION. In this section, “community-based residential facility” has the meaning specified in s. 50.01 (1).

SECTION 1511h. 140.85 (2) (intro.) of the statutes is amended to read:

140.85 (2) FEES. (intro.) The annual fee for ~~an inpatient health care facility~~ a community-based residential facility shall be based on the number of ~~beds or~~ residents for which the facility is licensed as follows:

NUMBER OF <del>BEDS OR</del> RESIDENTS	ANNUAL LICENSE FEE
<del>3-25</del> <u>21-25</u>	\$125
26-50	\$250
51-100	\$375
101-150	\$500
151-200	\$625
201-250	\$750
251-300	\$875
301 & Over	\$1,000

SECTION 1511L. 140.85 (2) (a) of the statutes is amended to read:

140.85 (2) (a) Such fees shall be paid to the department by the ~~inpatient health care facility~~ community-based residential facility on or before October 1 for the ensuing year. A new ~~inpatient health care facility~~ community-based residential facility shall pay the fees under this subsection no later than 30 days before the opening of the facility.

SECTION 1511o. 140.85 (2) (b) of the statutes is amended to read:

140.85 (2) (b) Any ~~health care facility which~~ community-based residential facility that fails to submit the annual fee prior to October 1, or 30 days prior to the opening of a new ~~inpatient health care facility~~ community-based residential facility subject to this section shall pay an additional fee of \$10 per day for every day after the deadline.

SECTION 1511r. 140.85 (3) (title) of the statutes is amended to read:

140.85 (3) (title) EXEMPTION.

SECTION 1511u. 140.85 (3) (a) of the statutes is repealed.

SECTION 1511w. 140.85 (3) (b) of the statutes is renumbered 140.85 (3).

SECTION 1511z. 140.86 of the statutes is created to read:

**140.86 Licensing and approval fees for inpatient health care facilities.** (1) DEFINITION. In this section, “inpatient health care facility” means any hospital, nursing home, county home, county mental hospital, tuberculosis sanatorium or other place licensed or approved by the department under ss. 49.14, 49.16, 49.171, 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 149.01 and 149.02, but does not include community-based residential facilities.

(2) FEES. (a) The annual fee for any inpatient health care facility except a nursing home is \$8 per bed, based on the number of beds for which the facility is licensed. The annual fee for any nursing home is \$6 per bed, based on the number of beds for which the nursing home is licensed. The annual fee for any nursing home is \$6 per bed, based on the number of beds for which the nursing home is licensed. This fee shall be paid to the department on or before October 1 for the ensuing year. Each new inpatient health care facility shall pay this fee no later than 30 days before it opens.

(b) Any inpatient health care facility that fails to pay its fee on or before the date specified in par. (a) shall pay an additional fee of \$10 per day for every day after the deadline.

(c) Of the fees collected under par. (a), \$544,800 in the fiscal year ending June 30, 1985, and \$300,000 annually thereafter shall be deposited in the general fund and the balance of fee revenue deposited in the appropriation under s. 20.435 (1) (gm) for health planning and cost containment activities.

(3) EXEMPTION. The central state hospital and inpatient health care facilities under ss. 45.365, 48.62, 51.05, 51.06 and 149.06, and ch. 142 are exempt from this section.

SECTION 1511zm. 141.07 of the statutes is amended to read:

**141.07 Dental clinics.** Any county may establish and maintain a dental clinic or clinics to be operated under rules adopted by the county health committee or commission named under s. 141.01. Monthly reports shall be made by the director of the clinic or clinics under s. 141.045 (3) on blanks prescribed by the department. ~~Any such clinic is subject to ch. 150.~~

SECTION 1512. 142.01 of the statutes is repealed.

SECTION 1513. 142.02 of the statutes is repealed.

SECTION 1514. 142.03 of the statutes is repealed.

SECTION 1515. 142.04 of the statutes is repealed.

SECTION 1516. 142.05 of the statutes is repealed.

SECTION 1517. 142.06 of the statutes is repealed.

SECTION 1518. 142.07 (1) (a) of the statutes is amended to read:

142.07 (1) (a) (title) *Room rate.* The superintendent shall establish with the approval of the board of regents a schedule of room rates for ~~private~~ patients which may be adjusted by the superintendent with the approval of the board of regents to meet changes in the cost of operation. As used in this section "room rates" includes the charges for meals and for ordinary nursing care.

SECTION 1519. 142.07 (1) (b) of the statutes is repealed.

SECTION 1520. 142.07 (1) (d) of the statutes is repealed.

SECTION 1521. 142.07 (2) of the statutes is repealed.

SECTION 1522. 142.07 (3) of the statutes is amended to read:

142.07 (3) **INDIAN CHILDREN.** Indian children whose hospital care is to be paid from funds granted the office of Indian affairs, U.S. department of interior, shall be admitted to the university of Wisconsin hospital and clinics at the ~~same rates as are charged for children hospitalized through application to the county director of public welfare.~~ The ~~procedure for admission of the Indian children shall be identical to the procedure for children admitted to the hospital upon application to the county director of public welfare~~ rates established under sub. (1).

SECTION 1523. 142.07 (4) of the statutes is repealed and recreated to read:

142.07 (4) **ADDITIONAL CHARGES FORBIDDEN.** The university of Wisconsin hospital and clinics may not charge any compensation other than the amount provided by the board of regents of the university of Wisconsin system for any of the following patients:

(a) Any general relief recipient referred to the hospital or its clinics by the county director of public welfare or social services.

(b) Any person committed to the department of health and social services and referred to the hospital or its clinics under s. 46.115.

(c) Any child referred to the hospital or its clinics by the children's consultation service of a mental health institute under s. 46.041.

(d) Any pupil referred to the hospital or its clinics by the state superintendent of public instruction under s. 115.53 (4).

(e) Any American Indian child whose care is being paid under sub. (3).

SECTION 1524. 142.08 of the statutes is repealed.

SECTION 1525. 144.24 (7) of the statutes is amended to read:

144.24 (7) PAYMENT. (a) Upon the completion by an applicant of all application requirements, the department may enter into an agreement with a municipality for a grant of up to 60% of the eligible costs of a project, except as provided ~~in~~ under sub. (4) (c).

(b) No project funded under this section may receive state assistance that, combined with other nonlocal government assistance, exceeds 75% of the eligible cost of the project.

(c) Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33% of the sum of the amounts in the schedule for that fiscal year for the appropriations under ~~ss. s.~~ 20.370 (4) (kb) and (ke) and 20.866 (2) (tn) (db) and (dc) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balances at the end of the preceding fiscal year for those appropriations and that authorization.

SECTION 1525b. 144.24 (8) (a) (intro.) of the statutes is repealed.

SECTION 1525e. 144.24 (8) (a) 1 of the statutes is renumbered 144.24 (8) (a) and amended to read:

144.24 (8) (a) (title) *Water conservation*. A Each municipality receiving state assistance under this section for the construction of a point source pollution abatement facility shall develop and adopt a program of water conservation no less stringent than the federal requirements.

SECTION 1525h. 144.24 (8) (a) 2 of the statutes is renumbered 144.24 (8) (b) and amended to read:

144.24 (8) (b) (title) *Operation and maintenance*. A Each municipality receiving state assistance under this section for the construction of a point source pollution abatement facility shall develop and adopt a program of systemwide operation and maintenance of the wastewater treatment plant, including the training of personnel, no less stringent than the federal requirements.

SECTION 1525k. 144.24 (8) (a) 3 of the statutes is renumbered 144.24 (8) (c) 1 and amended to read:

144.24 (8) (c) 1. A Except as provided under subd. 2, each municipality receiving state assistance under this section for the construction of a point source pollution abatement facility shall develop and adopt a system of equitable user charges to ensure that each recipient of waste treatment services pays its proportionate share of the costs of the operation and maintenance of the point source pollution abatement facility. The user fee system shall be in compliance with title II of the federal act and the rules promulgated under the federal act.

SECTION 1525n. 144.24 (8) (b) of the statutes is renumbered 144.24 (8) (d) and amended to read:

144.24 (8) (d) (title) *Prior approval*. Payment in excess of two-thirds of the state assistance provided for the eligible costs of construction shall ~~may~~ not be made until the department ~~has approved~~ approves the programs required under ~~par. (a) 1 and 2~~ pars. (a) and (b) and the any system specified required under par. (a) 3 (c).

SECTION 1525r. 144.24 (8) (c) of the statutes is renumbered 144.24 (8) (e).

SECTION 1525u. 144.24 (8) (c) (title) and 2 of the statutes are created to read:

144.24 (8) (c) (title) *User charges; exception*.

2. The department may issue an exemption from the requirement imposed under subd. 1 if a city or village imposes a system of equitable dedicated charges based upon assessed property values, if the city or village does not operate a wastewater treatment plant but is served by a regional wastewater treatment plant operated by a metropolitan sewerage district created under ss. 66.88 to 66.918 and if the user charges imposed by that district are approved by the department and comply with the requirements of title II of the federal act.

SECTION 1525y. 144.24 (8) (e) (title) of the statutes is created to read:

144.24 (8) (e) (title) *Rules.*

SECTION 1526. 144.24 (9) (c) of the statutes is amended to read:

144.24 (9) (c) The maximum amount of state assistance the department may commit in each fiscal year for future reimbursement under this subsection is 110% of the ~~sum of the amounts in the schedule~~ amount authorized under sub. (10) for that fiscal year ~~for the appropriations under ss. 20.370 (4) (ke) and 20.866 (2) (tn).~~

SECTION 1527m. 144.24 (10) of the statutes is repealed and recreated to read:

144.24 (10) EXPENDITURE AUTHORIZATION. The department is authorized an additional \$92,731,700 in fiscal year 1983-84, an additional \$103,104,900 in fiscal year 1984-85 and an additional amount equal to \$103,104,900 plus 10% compounded annually in each fiscal year after 1984-85 through fiscal year 1986-87 for new grants under this section for engineering design costs, construction costs and other costs which can be funded from bond revenue.

SECTION 1528p. 144.242 (9) of the statutes is amended to read:

144.242 (9) (title) COMMITMENT TO FUTURE BONDING. Beginning During the period beginning in the 1981-82 fiscal year and continuing up to and including the 1986-87 fiscal year, the amounts in the schedule for the appropriation it is the intent of the legislature that state debt under s. 20.866 (2) (to) shall be \$20,000,000 for each fiscal year in an amount not to exceed \$120,000,000 may be incurred for financial assistance under the combined sewer overflow abatement financial assistance program. The debt shall be contracted for in the manner and form the legislature prescribes.

SECTION 1529m. 144.245 (12) (b) of the statutes is repealed.

SECTION 1530. 144.25 (4) (f) of the statutes is amended to read:

144.25 (4) (f) Administer the distribution of grants and aids ~~under s. 20.370 (4) (ee)~~ to designated management agencies for local implementation of the nonpoint source pollution abatement grant program.

SECTION 1531. 144.437 (1) of the statutes is amended to read:

144.437 (1) Each county board individually or jointly with another county board may prepare and adopt a county solid waste management plan consistent with state criteria. ~~No such plan containing the proposed construction, alteration or reconstruction of a recycling or processing plant in a recycling region established by the Wisconsin solid waste recycling authority shall be submitted under sub. (2) without prior consultation with the authority.~~

SECTION 1532m. 144.44 (5) of the statutes is renumbered 144.44 (10) and amended to read:

144.44 (10) (title) LICENSES AND REVIEW FEES. (a) The department shall, ~~by rule,~~ adopt by rule a graduated schedule of reasonable license and review fees to be charged for solid waste license and review activities.

(b) Solid waste license and review activities consist of reviewing feasibility reports, plans of operation, closure plans and license applications, issuing determinations of feasibility, plan of operation approvals and operating licenses, and taking other actions in administering this section.

(c) The department shall establish solid waste review fees at a level anticipated to recover the solid waste program staff review costs of conducting solid waste review activities.

SECTION 1533. 144.441 (6) (b) of the statutes is amended to read:

144.441 (6) (b) *Payments from the waste management fund.* The department may expend moneys in the waste management fund only for the purposes specified under pars. (d) to (f), (e) and (g) to (i). The department may expend moneys appropriated under s. 20.370 (2) (cq) for the purposes specified under pars. (d), (e) and (g). The department may expend moneys appropriated under s. 20.370 (2) (ct) for the purposes specified under par. (h). The department may expend moneys appropriated under s. 20.370 (2) (cs) for the purposes specified under par. (i).

SECTION 1534. 144.441 (6) (f) of the statutes is renumbered 144.441 (6) (g).

SECTION 1535. 144.441 (6) (g) of the statutes is renumbered 144.441 (6) (f).

SECTION 1536. 144.441 (6) (h) and (i) of the statutes are created to read:

144.441 (6) (h) *Payment of closure and long-term care costs; forfeited bonds and similar moneys.* The department may utilize moneys appropriated under s. 20.370 (2) (ct) for the payment of costs associated with compliance with closure and long-term care requirements under s. 144.443 (11) (b).

(i) *Prevention of imminent hazard.* The department may utilize moneys appropriated under s. 20.370 (2) (cs) for the payment of costs associated with imminent hazards as authorized under s. 144.443 (11) (c).

SECTION 1537. 144.443 (11) (a) 1 of the statutes is amended to read:

144.443 (11) (a) 1. The department may require the forfeiture or convert any standard method of establishing proof of financial responsibility if the owner or operator established proof of financial responsibility under sub. (3). All moneys received from the forfeiture or conversion of any standard method of establishing proof of financial responsibility shall be credited to the waste management fund.

SECTION 1538. 144.443 (11) (a) 3 of the statutes is amended to read:

144.443 (11) (a) 3. The department may issue an assessment order under sub. (9) (c) if the owner or operator established proof of financial responsibility by complying with minimum financial standards under sub. (7) and minimum security requirements under sub. (9). All moneys received from the assessment order shall be credited to the waste management fund.

SECTION 1539. 144.443 (11) (a) 4 of the statutes is created to read:

144.443 (11) (a) 4. The department may request the department of justice to initiate court action against the owner or operator to recover moneys sufficient to pay the cost of complying with the closure and long-term care requirements of the plan of operation. Any moneys recovered in this type of action or as a settlement in anticipation of this type of action shall be credited to the waste management fund.

~~SECTION 1539b. 144.445 (8) (a) (intro.) and 1 of the statutes are consolidated, renumbered 144.445 (8) (a) and amended to read:~~

**Vetoed  
in Part**

~~144.445 (8) (a) The applicant and the local committee may negotiate with respect to any subject except ~~1~~ Any any proposal to make the applicant's responsibilities under the approved feasibility report or plan of operation less stringent.~~

~~SECTION 1539d. 144.445 (8) (a) 2 of the statutes is renumbered 144.445 (8) (am) 1.~~

SECTION 1539f. 144.445 (8) (am) (intro.) of the statutes is created to read:  
144.445 (8) (am) (intro.) Only the following items are subject to arbitration under sub. (9m):

SECTION 1539h. 144.445 (8) (b) (intro.) of the statutes is amended to read:  
144.445 (8) (b) (intro.) Only the following items are subject to arbitration under this section sub. (10) :

SECTION 1539j. 144.445 (8) (b) 7 of the statutes is renumbered 144.445 (8) (am) 2.

SECTION 1539k. 144.445 (9m) of the statutes is created to read:  
144.445 (9m) ARBITRATION REGARDING NEED AND LOCAL APPROVALS. (a) If agreement is not reached on any items in sub. (8) (am) within 45 days after the board issues a notice under sub. (6) (b), the local committee may submit a written petition to the board to initiate arbitration under this subsection. If the local committee fails to request arbitration under this subsection within 90 days after the board issues a notice under sub. (6) (b), then the items in sub. (8) (am) are not subject to arbitration and the facility is only subject to local approvals made applicable in a negotiated agreement, notwithstanding sub. (5).

(b) Within 15 days after receipt of a petition to initiate arbitration, the board shall notify the applicant and the local committee that they are required to submit their respective final offers to the board within 45 days after the date of the notice. If the local committee fails to submit a final offer within the time limit in this paragraph, the applicant may continue to seek state approval of the facility, is not required to continue to negotiate or arbitrate under this section and the facility is not subject to any local approval, notwithstanding sub. (5). If the applicant fails to submit a final offer within the time limit in this paragraph, the applicant may not construct or operate the facility.

(c) The final offers under this subsection may include only issues subject to arbitration under sub. (8) (am).

(d) The board shall consider the following issues in evaluating the need for the facility, as well as any other issues that relate to the question of need:

1. The present and potential capacity of existing facilities which are reasonably accessible to potential users of the proposed facility.
2. The anticipated future capacity of other waste facilities which are or will be reasonably available to potential users of the proposed facility, during the proposed period of operation of the proposed facility.
3. The extent to which the proposed facility replaces or provides a better alternative to environmentally inadequate facilities at other locations.
4. Whether the proposed facility will increase or reduce land use conflicts by replacing existing facilities at other locations.
5. The availability of or potential for recycling, source reduction or other waste handling technologies.
6. Whether a proposed solid or hazardous waste disposal facility will have an unreasonably long period of operation or will have an unreasonably short period of operation, as the result of the size of the proposed facility or the rate of expected waste disposal at the facility.

(e) If the arbitration award under this subsection permits the applicant to construct and operate the facility, the applicant and the local committee shall continue negotiating under sub. (9) after the arbitration award is issued under this subsection.

SECTION 1539m. 144.445 (10) (title) of the statutes is amended to read:  
144.445 (10) (title) ARBITRATION REGARDING ISSUES OTHER THAN NEED AND LOCAL APPROVALS.

SECTION 1539n. 144.445 (10) (b) of the statutes is amended to read:

144.445 (10) (b) Either the applicant or the local committee may submit an individual written petition to the board to initiate arbitration under this subsection but not earlier than ~~120~~ 150 days after the board issues a notice under sub. (6) (b), or 120 days after the final arbitration decision under sub. (9m), whichever is later.

SECTION 1539p. 144.445 (10) (c) of the statutes is amended to read:

144.445 (10) (c) Within 15 days after receipt of a petition to initiate arbitration under this subsection, the board shall notify the applicant and the local committee either that they are required to continue negotiating for at least 30 days after the date of the notice if, in the judgment of the board, arbitration can be avoided by the negotiation of any remaining issues or, otherwise, that they are required to submit their respective final offers to the board within 90 days after the date of the notice. If the board directs the applicant and the local committee to continue negotiating, the petition to initiate arbitration may be resubmitted after the extended period of negotiation. If the local committee fails to submit a final offer within the time limit in this paragraph, the applicant may continue to seek state approval of the facility, and is not required to continue to negotiate or arbitrate under this section and the facility is not subject to any local approval, notwithstanding sub. (5). If the applicant fails to submit a final offer within the time limit in this paragraph, the applicant may not construct or operate the facility.

SECTION 1539r. 144.445 (10) (a) of the statutes is renumbered 144.445 (10m) (b) and amended to read:

144.445 (10m) (b) Final offers shall contain the final terms and conditions relating to the facility proposed by the applicant and the local committee and any information or arguments in support of the proposals. Additional supporting information may be submitted at any time. The final offers may include only issues subject to arbitration under sub. (8). A final offer may include only items offered in negotiation except that a final offer may not include items settled by negotiation and approved under sub. (9) (f) by each town, city or village where all or a portion of the facility is to be located. The final offers prepared by the local committee are required to be submitted for approval by resolution of the governing body of each participating municipality before the final offer is submitted to the board. The final offers are public documents and the board shall make copies available to the public.

SECTION 1539s. 144.445 (10) (d) of the statutes is created to read:

144.445 (10) (d) The final offers under this subsection may include only issues subject to arbitration under sub. (8) (b).

SECTION 1539t. 144.445 (10) (e) of the statutes is renumbered 144.445 (10m) (c).

SECTION 1539v. 144.445 (10) (f) of the statutes is renumbered 144.445 (10m) (d) and amended to read:

144.445 (10m) (d) Within 30 days after the last day for submitting final offers, the board shall conduct a public meeting in a place reasonably close to the location of the facility to provide an opportunity for the applicant and the local committee to explain or present supporting arguments for their final offers. The board may conduct additional meetings with the applicant and the local committee as necessary to prepare its arbitration award. The board may administer oaths, issue summonses under s. 788.06 and direct the taking of depositions under s. 788.07. For the purpose of making an investigation or conducting a public meeting, the board may appoint an agent and prescribe the duties of the agent. In the discharge of his or her duties, the agent has the powers granted to the board under this paragraph unless otherwise prescribed.

SECTION 1539w. 144.445 (10) (g) of the statutes is renumbered 144.445 (10m) (e) and amended to read:

~~144.445 (10m) (e) 1. Within 90 days after the last day for submitting final offers under par. sub. (9m) (b) or (10) (c), the board may issue an arbitration award with the approval of a minimum of 5 board members. If the board fails to issue an arbitration award within this period, the governor shall issue an arbitration award within 120 days after the last day for submitting final offers under par. (e). The arbitration award shall adopt, without modification, the final offer of either the applicant or the local committee except that the arbitration award shall delete those items which are not subject to arbitration under sub. (8) or are not consistent with the legislative findings and intent under subs. (1) and (2). A copy of the arbitration award shall be served on the applicant and the local committee sub. (9m) (b) or (10) (c).~~

SECTION 1539x. 144.445 (10) (h) to (j) of the statutes are renumbered 144.445 (10m) (f) to (h).

SECTION 1539y. 144.445 (10m) title and (a) of the statutes are created to read:

144.445 (10m) title. **ARBITRATION PROCEDURES.** (a) The procedures in this subsection apply to arbitration under subs. (9m) and (10).

SECTION 1539z. 144.445 (10m) (e) 2 to 5 of the statutes are created to read:

144.445 (10m) (e) 2. For issues under sub. (9m), the board or the governor shall treat the need for the facility and the applicability or nonapplicability of preexisting local approvals separately. As the first part of the arbitration award, the board or the governor shall state whether there is sufficient or insufficient need for the facility. If the board or the governor determines that there is insufficient need for the facility, the applicant may not construct or operate the facility. As the 2nd part of the arbitration award, the board or the governor shall determine which, if any, preexisting local approvals are applicable to the facility.

3. For issues under sub. (10), the board or the governor shall issue an arbitration award which contains, without modification, the final offer of either the applicant or the local committee.

4. In any arbitration award under this section, the board or the governor shall delete those items which are not subject to arbitration under sub. (8) (am) or (b) or are not consistent with the legislative findings and intent under subs. (1) and (2).

5. A copy of the arbitration award shall be served on the applicant and the local committee.

SECTION 1540m. 144.64 (4) (a) of the statutes is amended to read:

144.64 (4) (a) 1. The department shall adopt by rule a graduated schedule of reasonable license and review fees to be charged for the direct administration of hazardous waste license and review activities.

2. Hazardous waste license and review activities consist of reviewing feasibility reports, plans of operation, closure plans and license applications, issuing determinations of feasibility, plan of operation approvals, operating licenses, interim licenses and variances, and taking other actions in administering this section.

3. The department shall establish hazardous waste review fees at a level anticipated to recover the hazardous waste program staff review costs of conducting hazardous waste review activities.

SECTION 1540r. 144.715 of the statutes is created to read:

**144.715 Abandoned waste facilities; site investigation, planning and cleanup; federal superfund participation.** (1) **DEFINITION.** As used in this section "federal superfund act" means the federal comprehensive environmental response, compensation and liability act of 1980, 42 USC 9601 et seq.

(2) **POWERS OF THE DEPARTMENT.** The department may advise, consult, assist and contract with other interested persons to take action to implement the federal superfund act in cooperation with the U.S. environmental protection agency. These actions include determining the existence and extent of environmental pollution through hazardous substances characterization and site inspections and investigations, planning and executing remedial actions at sites where environmental pollution exists and providing for the long-term care of these sites.

(3) **ACCESS TO PROPERTY.** The department or any authorized officer, employe or contractor of the department may enter any property, premises or place at reasonable times and upon notice to the owner or occupant for the purpose of taking action under sub. (2). Notice to the owner or occupant is not required if the delay required in order to provide this notice is likely to result in an imminent risk to public health or safety or to the environment.

**SECTION 1541.** 144.76 (4) (a) (intro.) and 2 of the statutes are consolidated, renumbered 144.76 (4) (a) and amended to read:

144.76 (4) (a) The department may require that preventive measures be taken by any person possessing or having control over a hazardous substances when it substance if the department finds: 2. Past discharges by this person indicate that the existing control measures are inadequate in preventing to prevent discharges.

**SECTION 1542.** 144.76 (4) (a) 1 of the statutes is repealed.

**SECTION 1543.** 144.76 (5) (b) 7 of the statutes is amended to read:

144.76 (5) (b) 7. Establish procedures and techniques for identifying, locating, monitoring, containing, removing and disposing of discharged hazardous substances.

**SECTION 1544.** 144.76 (6) (title) and (a) of the statutes are amended to read:

144.76 (6) (title) **HAZARDOUS SUBSTANCES SPILLS; APPROPRIATIONS AND RELATED PROVISIONS.** (a) (title) *Contingency plan.* The appropriation department may utilize moneys appropriated under s. 20.370 (2) (cc) shall be used in implementing and carrying out the contingency plan developed under sub. (5). This fund shall

(b) (title) *Activities resulting from discharges.* The department may utilize moneys appropriated under s. 20.370 (2) (cc), (ci) and (cm) to provide for the procurement, maintenance and storage of necessary equipment and supplies, personnel training and expenses incurred during containment, clean-up and disposal in identifying, locating, monitoring, containing, removing and disposing of discharged substances.

**SECTION 1545.** 144.76 (6) (b) to (d) of the statutes are renumbered 144.76 (6) (c) to (e) and amended to read:

144.76 (6) (c) (title) *Limitation on equipment expenses.* No more than 25% of the fund total of all moneys available under the appropriations under s. 20.370 (2) (cc), (ci) and (cm) during any fiscal year may be used annually for the procurement and maintenance of necessary equipment during that fiscal year.

(d) (title) *Reimbursement by responsible persons.* Reimbursements to the department under sub. (7) (b) shall be credited to the hazardous substances spill fund appropriation under s. 20.370 (2) (cj).

(e) (title) *Reimbursement from the federal government.* Reimbursements to the department under s. 311, federal water pollution control act amendments of 1972, P.L. 92-500, shall be credited to the hazardous substances spill fund appropriation under s. 20.370 (2) (cm).

**SECTION 1546.** 144.76 (7) (a) of the statutes is amended to read:

144.76 (7) (a) In ~~every~~ any case where action required under sub. (3) is not being adequately taken or the identity of the person responsible for the discharge is unknown, the department or its agent may identify, locate, monitor, contain, remove or dispose of the hazardous substance or take any other emergency action which it deems appropriate under the circumstances.

SECTION 1548m. 144.783 (1) (a) of the statutes is amended to read:

144.783 (1) (a) The department may enter into agreements with eligible applicants to make grant payments to the applicants from the appropriation ~~made by~~ under s. 20.370 (4) ~~(ef)~~ (eb).

SECTION 1549. 144.783 (5) (a) (intro.) of the statutes is renumbered 144.783 (5) (intro.) and amended to read:

144.783 (5) (intro.) The department, ~~by rule~~, shall develop by rule a ~~separate~~ funding priority list for areawide solid waste management plans, specific solid waste disposal site feasibility studies and special study projects. The funding priority list shall be made available to all applicants. The priority list may be modified by the department, as needed, to reflect changes in solid waste management practices and technology. Factors to be considered by the department in developing funding priorities for individual plans and studies include, but are not limited to:

SECTION 1550. 144.783 (5) (a) 1 to 6 of the statutes are renumbered 144.783 (5) (a) to (f).

SECTION 1551. 144.783 (5) (b) of the statutes is repealed.

SECTION 1552. 144.784 (9) (b) 2 of the statutes is repealed.

SECTION 1553n. 144.792 of the statutes is created to read:

**144.792 State solid waste recycling and resource recovery policy.** The following are declared to be policies of the state concerning recycling and resource recovery from solid waste:

(1) That maximum recycling and resource recovery is in the best interest of the state in order to protect public health, to protect the quality of the natural environment and to conserve resources and energy.

(2) That solid waste recycling and resource recovery projects should be encouraged in furtherance of these goals.

(3) That encouragement and support should be given to individuals, collectors, handlers and operators of waste facilities to separate solid waste at the source, in processing or at the time of disposal in order to facilitate recycling or resource recovery.

(4) That research, development and innovation in the design, management and operation of recycling and resource recovery systems and operations are necessary and should be encouraged in order to improve the processes, to lower operating costs and to provide incentives for the use of these systems and operations and their products.

(5) That utilization of existing recycling and resource recovery systems and operations should be encouraged with particular emphasis on municipal systems and operations in areas where municipalities are actively involved in solid waste management.

(6) That municipal recycling and resource recovery systems and operations are to be encouraged to the maximum extent feasible especially in the design, development, financing, construction and operation of new systems and operations.

(7) That solid waste recycling and resource recovery efforts in this state should be planned and coordinated in order to maximize beneficial results while minimizing duplication, inefficiency and excessive competition and to achieve these goals the legislature recognizes the necessity of the state to occupy a regulatory role in this field and the necessity to give municipal recycling and resource recovery systems and operations certain exclusive benefits and privileges.

(8) That the powers enumerated under s. 144.794 constitute proper powers consistent with uniform state policies concerning recycling and resource recovery from solid waste; these powers are necessary for the safe, beneficial, economical and lawful management, disposal and reuse of solid waste; and these powers are necessary to accomplish or facilitate these uniform state policies by encouraging the financing, acquisition, construction, improvement, operation, maintenance and ownership of recycling and resource recovery facilities. The powers enumerated under s. 144.794 constitute proper powers consistent with essential and legitimate governmental functions; and these powers are to be utilized in providing for the health, safety and welfare of and providing services and benefits for inhabitants of municipalities and this state.

(9) That the state policies declared under this section and the standards, criteria, requirements and procedures established under s. 144.794 ensure that a municipality exercising powers under s. 144.794 acts in a manner consistent with uniform state policies and acts as an arm of the state for the public good.

SECTION 1553p. 144.794 of the statutes is created to read:

**144.794 Municipal waste flow control; required use of recycling or resource recovery facility.** (1) **DEFINITIONS.** AS USED IN THIS SECTION AND S. 144.792:

(a) "Capital improvement" includes any structure, fixture, facility, paved or graded area, gate, fence, observation well, access road on a solid waste facility, utility, building, paved area, or scale; but does not include earthwork to construct the facility nor earth materials required to cover solid wastes or provide grading and completion of the facility in accordance with department standards for operation of solid waste facilities.

(b) "Collection" means the aggregating of solid waste from its primary source and includes all activities up to such time as the waste is delivered to a transfer station.

(c) "Commission" means the public service commission.

(d) "Facilities for the recycling of solid waste or for the recovery of resources from solid waste" means facilities the primary use of which is to convert or recycle solid waste into usable materials, products or energy or to incinerate solid waste.

(e) "Municipality" means a county, city or village.

(f) "Local unit of government" includes a county, city, village, town, school district, county utility district, sanitary district or metropolitan sewage district.

(g) "Person" includes individuals, partnerships, associations, corporations and local units of government.

(h) "Recycling" means the transfer, transporting, processing, marketing and conversion of solid wastes into usable materials, products or energy and includes the stockpiling and disposal of nonusable portions of solid wastes, but does not include the collection of solid wastes.

(i) "Sewage or industrial waste sludge" means the residue material resulting from the treatment of sewage or industrial waste water.

(j) "Solid waste disposal" means the discharge, deposit, injection, dumping or placing of any solid waste into or on any land or water in a manner which may permit the solid waste or any constituent of the solid waste to be emitted into the air, to be discharged into any waters of the state or otherwise to enter the environment. This term does not include the transportation, storage or treatment of solid waste.

(k) "Solid waste facility" means a facility for solid waste treatment, solid waste storage or solid waste disposal, and includes commercial, industrial, municipal, state and federal establishments or operations such as, without limitation because of enumeration, facilities for the recycling of solid waste or for the recovery of resources from solid waste, sanitary landfills, dumps, land disposal sites, incinerators, transfer stations, storage facil-

ities, collection and transportation services and processing, treatment and recovery facilities. This term includes the land where the facility is located.

(L) "Solid waste management" means planning, organizing, financing, and implementing programs to effect the storage, collection, transporting, processing, recycling or final disposal of solid wastes in a sanitary, nuisance-free manner.

(m) "Solid waste management plan" means a plan prepared to provide for solid waste management.

(n) "Solid waste storage" means the holding of solid waste for a temporary period, at the end of which period the solid waste is to be treated or disposed.

(o) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

(p) "Transfer station" means a facility, structure or container owned or leased by a municipality, to which collected solid wastes are delivered and where possession of these solid wastes is transferred to the municipality.

(q) "Transportation" means all transport required from a transfer station or municipal solid waste facility where possession of the solid waste is transferred to the county.

(2) REQUIRED USE; IMPLEMENTATION PROCEDURE. A municipality may require the use of a facility for the recycling of solid waste or for the recovery of resources from solid waste by any local unit of government, retail business, commercial business or industry within the limits of the municipality which generates or collects solid waste which is not exempt under sub. (5) if:

(a) The municipality adopts an initial intent resolution.

(b) The municipality prepares a comprehensive facility project description report and submits this report to the department.

(c) The municipality determines that required usage of the facility is in the best public interest.

(d) The municipality constructs, operates, maintains, expands, modifies and closes the facility in compliance with ch. 144 and obtains all necessary permits, licenses and approvals required by the department.

(e) The municipality adopts a valid solid waste flow control ordinance and issues a required use order.

(3) REQUIRED USE; JOINT IMPLEMENTATION PROCEDURE. Two or more municipalities may enter into an agreement concerning the establishment of a facility for the recycling of solid waste or for the recovery of resources from solid waste and concerning the required use of that facility. The municipalities which enter into this type of agreement may require the use of a facility for the recycling of solid waste or for the recovery of resources from solid waste by any local unit of government, retail business, commercial business or industry within the limits of those municipalities which generates or collects solid waste which is not exempt under sub. (5) if:

(a) Each of the municipalities adopts an initial intent resolution.

(b) The municipality which is responsible for the facility prepares a comprehensive facility project description report and submits this report to the department.

(c) Each of the municipalities determines that the required use is in the best public interest.

(d) The municipality which is responsible for the facility constructs, operates, maintains, expands, modifies and closes the facility in compliance with ch. 144 and obtains all necessary permits, licenses and approvals required by the department.

(e) Each of the municipalities adopts a valid solid waste flow control ordinance and issues a required use order.

(4) **REQUIRED USE; CONFLICTS.** If one municipality has adopted an initial intent resolution, no other municipality may adopt an initial intent resolution or solid waste flow control ordinance which covers the same type of solid waste generated in the same recycling or resource recovery area unless the first municipality or, if the municipality enters an agreement under sub. (3), the responsible municipality fails to prepare and submit the comprehensive facility project description report within the time limit specified under sub. (7), unless the first municipality fails to adopt a municipal waste flow control ordinance under sub. (10) within 7 years after the initial intent resolution is adopted or unless the first municipality revises its initial intent resolution or adopts a solid waste flow control ordinance so that there is no conflict.

(5) **EXEMPTION FOR CERTAIN SOLID WASTES.** A municipality may not require the use of a facility for:

(a) Solid waste produced by a retail business, commercial business or industry which is privately processed and reused.

(b) Solid waste consisting of scrap, new material or used material which is separated from other waste and held by the generator for sale or reuse.

(c) Solid waste from a single-family dwelling which is disposed of on or held for disposal on land surrounding the dwelling by a person who owns or leases and occupies the dwelling and owns or leases the surrounding land.

(d) Solid waste which is sewage or industrial waste sludge.

**Vetoed  
in Part**

~~(e) Solid waste produced by a commercial business or industry which is disposed of or held for disposal in an approved facility, as defined under s. 144.44(2)(a) 1, owned by the generator and designed and constructed for the purpose of accepting that type of solid waste.~~

(f) Solid waste received and processed by a recycling or resource recovery facility which exists on January 1, 1984, or for which a feasibility report, a permit application or other application is submitted to the department on or before January 1, 1984.

(g) Solid waste generated within a town if the town voluntarily has entered into an agreement or contract with a city or village for the recycling or the recovery of resources from these wastes and if the city or village has adopted a waste flow control ordinance or if the facility operated by the city or village may receive waste under par. (f).

(h) Solid waste which is a type of waste which the municipality determines is unsuitable for recycling or resource recovery at the facility.

(6) **INITIAL INTENT RESOLUTION.** A municipality may adopt an initial intent resolution at any time except as provided under sub. (4) and except that a municipality may not adopt more than one initial intent resolution covering a specific recycling or resource recovery service area within in a 10-year period. An initial intent resolution shall include:

(a) A statement of the municipality's intention to establish a facility for the recycling of solid waste or for the recovery of resources from solid waste or, if the municipality enters into an agreement under sub. (3), a statement of the municipality's intention to participate in a project for the establishment of a facility for the recycling of solid waste or the recovery of resources from solid waste.

(b) A statement of the municipality's intention to adopt a solid waste flow control ordinance.

(c) A description of the types of solid waste which may be subject to the ordinance.

(d) A description of the anticipated recycling or resource recovery area which may be subject to the ordinance.

(7) **COMPREHENSIVE FACILITY PROJECT DESCRIPTION REPORT.** Within 2 years after an initial intent resolution is adopted and prior to the adoption of a waste flow control ordinance, the responsible municipality is required to prepare a comprehensive facility project description report and submit it to the department for review in order to assess the environmental regulatory permits, licenses and approvals required for the facility. At a minimum, this plan shall include:

(a) A detailed description of the proposed facility for the recycling of solid waste or for the recovery of resources from solid waste, including details on facility size and location, preliminary engineering design plans, a study of the required waste quantities and waste composition and a detailed report of the facility costs.

(b) A detailed description of methods for transporting solid wastes to the facility including transportation routes, transfer facilities and estimates on proposed collection, storage, transportation and residual disposal costs.

(c) An identification of energy or material markets; a project timetable and implementation schedule; an identification of parties responsible for facility procurement; and a summary of the tipping fee, schedule of rates and other charges required for facility implementation.

(8) **BEST PUBLIC INTEREST; CRITERIA.** A municipality may determine that a required usage is in the best public interest if it finds the:

(a) Required use will result in reuse or recovery of material from solid waste.

(b) Required use will lessen the demand for solid waste disposal facilities.

(c) Required use will conserve natural resources or energy.

(d) Required use is necessary to obtain the type and quantity of solid waste necessary for operational volumes needed to make the facility economically feasible.

(e) Alternatives to required use which may be used to obtain the necessary type and quantity of solid waste have been explored.

(f) Required use is consistent with planning efforts of the municipality.

(g) Required use is consistent with any solid waste management plan prepared under ss. 144.781 to 144.784.

(h) Operation of the facility is technically feasible and will not result in significant adverse environmental impacts based upon a comprehensive facility project description report prepared under sub. (7).

(i) Required use and operation of the facility will be responsive to the extent feasible with legitimate public concerns expressed at the public hearing under sub. (9).

(j) Construction, operation, maintenance, expansion, modification and closure of the facility will comply with ch. 144 and all permits, licenses and approvals required by the department will be obtained.

(9) **BEST PUBLIC INTEREST; HEARING; APPEALS.** (a) A municipality shall conduct a public hearing and permit public participation at that hearing prior to issuing any determination concerning best public interest under sub. (8).

(b) Any person adversely affected by the municipality's determination concerning best public interest under sub. (8) may appeal the determination to the commission. The commission shall investigate the matter and if there appears grounds for the appeal, the commission shall conduct a review hearing after at least 10 days' notice to the person and the municipality. After the review hearing, the commission shall issue a decision on the validity of the municipal determination concerning best public interest. In issuing this decision, the commission shall decide if there is sufficient evidence on the record to support the municipal determination under sub. (8). The commission shall in all bill any expense attributable to investigations and proceedings under this paragraph to the municipality under s. 196.85

(1)

Partial  
Veto  
Overruled

(10) **MUNICIPAL WASTE FLOW CONTROL ORDINANCE.** Except as provided under sub. (4), a municipality may adopt a municipal waste flow control ordinance if the municipality adopted an appropriate initial intent resolution, if the municipality or, if the municipality enters into an agreement under sub. (3), the responsible municipality prepared the necessary comprehensive facility project description report and the municipality issued a determination of best public interest after conducting the required hearing and if the municipality complies with ch. 144 with respect to the facility and obtains all permits, licenses and approvals required by the department. The municipal waste flow control ordinance shall include:

(a) A description of the facility for the recycling of solid waste or for the recovery of resources from solid waste which the municipality or, if the municipality enters into an agreement under sub. (3), the responsible municipality has established or is establishing.

(b) A description of the recycling or resource recovery area subject to the ordinance and for which a required use order may be issued.

(c) A description of the types and quantities of solid waste which are subject to the ordinance and for which a required use order may be issued.

(d) A description of the persons who are subject to the ordinance and who may be required to use the facility under a required use order.

(e) A description of the minimums and maximums for the tipping fee, schedule of rates and other charges which may be imposed for use of the facility without amendment or revision of the ordinance.

(11) **REQUIRED USE ORDER.** A municipality may issue a required use order following the procedures required under sub. (12) if it adopted a municipal waste flow control ordinance and if the order is consistent with that ordinance. A required use order shall include:

(a) A description of the specific recycling or resource recovery area subject to the order.

(b) Specification of the types and quantities of solid waste subject to the order.

(c) A summary of the plans for the use of the solid waste.

(d) A description of the point or points where the solid waste is to be delivered or where the solid waste will be collected under the order.

(e) A summary of the tipping fee, rates and other charges which will be imposed for use of the facility under the order.

(12) **NEGOTIATION.** A municipality shall proceed as follows in issuing a required use order which requires use of a facility for the recycling of solid waste or for the recovery of resources from solid waste:

(a) The municipality shall notify those persons who are subject to the required use order at least 90 days prior to the effective date of that order. Notification to a local unit of government shall be in writing. All other persons shall be notified by publication of a class 3 notice, under ch. 985, in a newspaper having general circulation in the area. The notification shall include information specified under sub. (11) (a) to (e). During the 90-day period following the notification, the municipality shall negotiate with any or all of the persons subject to the order and attempt to develop a contractual agreement on the terms of required usage of the facility.

(b) In negotiating under this subsection, the municipality shall consider penalty fees, charges imposed and other financial consequences which will result from the termination of existing service contracts if a required use order takes effect and is enforced.

(c) If a contract is not entered into on or before the end of the 90-day period, or if, in the case of a person other than a local unit of government, the person does not make adequate arrangements for the processing for reuse of the waste generated by it, the

municipality shall hold a public hearing on the matter and take testimony for and against the required use of the facility.

(d) If a contract is not entered into within 30 days after the public hearing, or if, in the case of a person other than a local unit of government, the person does not make adequate arrangements for the processing for reuse of the waste generated by it, the municipality may issue a special enforcement order requiring any person given notice to use the facility, starting on a specified date at least 30 days after the special enforcement order is issued.

*(e) The municipality shall provide procedures so that any person adversely affected by the issuance of a special enforcement order may appeal that decision to the commission. The commission shall investigate the matter and if there appears grounds for the appeal, the commission shall conduct a review hearing after at least 10 days' notice to the person and the municipality. After the review hearing, the commission shall determine if the special enforcement order is reasonable and just and may affirm the special adjustment order, may adjust or modify the order so that it is reasonable and just or may void the order. The commission shall bill any expense attributable to investigations and proceedings under this paragraph to the municipality under s. 196.85 (1).*

Partial  
Veto  
Overruled

(13) TERMINATION OF REQUIRED USE. (a) A municipality may not terminate, suspend or curtail services provided to any person required to use a facility under this section without that person's consent.

(b) In the case of a person other than a local unit of government, all obligations under a contract entered into or a required use order issued under this section may be terminated as to any portion of the solid waste generated by the person upon an adequate showing to the municipality that the solid waste has value and that adequate arrangements are made by the person to have the waste processed for reuse either by the person or any other person other than a local unit of government.

(14) COMPENSATION; SOLID WASTE FACILITIES. (a) If a person is subject to a required use order, if the person owns solid waste facilities or services affected by that order and if the person submits an offer to the municipality, the municipality shall compensate the person for any operating solid waste disposal facility, plant sites and capital improvements and equipment which were acquired originally by the person in response to department orders or licensing requirements relating to solid waste disposal or which were not required for compliance with departmental licensing requirements but were approved in advance by the municipality.

(b) The municipality may compensate the person either by purchasing the facility, site, improvements and equipment or by paying the person an amount equal to the purchase price.

(c) The purchase price is the fair market value considering the remaining useful capacity of the facility, any reasonably anticipated liability and the loss of value resulting from the imposition of the required use order.

(d) Compensation under this subsection shall take place at, or as soon as practicable after, the time any contract entered into under sub. (12) takes effect or the time any required use order takes effect or is enforced.

(e) Any person adversely affected by a municipality's decision with respect to compensation under this subsection may appeal that decision to the commission. The commission shall investigate the matter and if there appears grounds for the appeal, the commission shall conduct a hearing after at least 10 days' notice to the person and the municipality. After the hearing, the commission shall determine if the compensation decision is reasonable and just and may affirm the compensation decision, may adjust or modify that decision so that it is reasonable and just or may void that decision. The commission shall bill any expenses attributable to investigations and proceedings under this paragraph to the municipality under s. 196.85 (1).

(15) FEE AND RATE APPROVAL. The tipping fee, rates and other charges and any revision in the tipping fee, rates and other charges established by a municipality for use of a facility for the recycling of solid waste or for the recovery of resources from solid waste which is required under this section are subject to approval by the commission after notice and an opportunity for a hearing before the commission. Expenses incurred by the commission in the performance of its duties under this subsection shall be paid by the municipality under s. 196.85 (1).

(16) PERMITS, LICENSE AND APPROVALS; REPORT REVIEW AND FEES; PROOF OF FINANCIAL RESPONSIBILITY. (a) A municipality may not construct, operate, maintain, expand, modify or close any facility for the recycling of solid waste or for the recovery of resources from solid waste in violation of ch. 144 or without any license, permit or approval required by the department.

(b) The department shall review each comprehensive facility project description report submitted under sub. (7) and may require a municipality to pay a fee to cover costs incurred by the department associated with this review.

**Vetoed in Part** (c) The department may require a municipality to maintain proof of financial responsibility to ensure the availability of funds necessary for closure costs associated with the closing of a facility for the recycling of solid waste or for the recovery of resources from solid waste, ~~other than a hazardous waste facility,~~ and to remedy, abate or prevent hazards to public health or the environment.

~~SECTION 1555m. 144.796 of the statutes is created to read:~~

**Vetoed in Part** ~~144.796 Recycling and resource recovery loan program. (1) The department shall develop and administer a recycling and resource recovery loan program.~~

~~(2) A county which is planning and constructing a recycling or resource recovery facility may be eligible for low-interest loans under this program. Moneys obtained from low-interest loans under this program may be used for engineering design costs on a reimbursement basis and for construction costs. The department shall establish specific project eligibility requirements.~~

~~(3) The department shall provide low-interest loans to a county for an eligible recycling or resource recovery project if the county has completed engineering design studies for the project and is prepared to begin construction within 6 months after the loan is made. The department shall provide these loans with a long-term repayment schedule and at an interest rate not to exceed 5% of the unpaid balance.~~

SECTION 1556g. 144.81 (2) of the statutes is amended to read:

144.81 (2) ~~“Exploration”~~ “Mineral exploration” or “exploration”, unless the context requires otherwise, means the onsite geologic examination from the surface of an area by core, rotary, percussion or other drilling, where the diameter of the hole does not exceed 18 inches, for the purpose of searching for metallic minerals or establishing the nature of a known metallic mineral deposit, and includes associated activities such as clearing and preparing sites or constructing roads for drilling.

SECTION 1556r. 144.833 of the statutes is created to read:

**Vetoed in Part** **144.833 Radioactive waste site exploration.** (1) DEFINITIONS. As used in this section and for the purposes of determining the applicability of ss. ~~144.83, 144.832, 144.88 and 144.93~~ to 144.94:

(a) “Person” includes any person operating under a contract or under the direction of a federal agency.

(b) “Radioactive waste” means high-level radioactive waste and transuranic waste, as defined under s. 16.08 (1) (c) and (d).

(c) "Radioactive waste site exploration" means the on-site geologic examination from the surface of an area by core, rotary, percussion or other drilling for the purpose of determining the subsurface and geologic characteristics of an area in order to establish whether the area is suitable for a radioactive waste disposal site and includes associated activities such as clearing and preparing sites or constructing roads for drilling.

(d) "Radioactive waste disposal site" means any site or facility for the long-term storage or disposal of radioactive waste including any underground storage area and related facilities.

(2) EXPLORATION LICENSE AND RELATED PROVISIONS. (a) *Applicability.* Except as provided under par. (b), ss. 144.832 and 144.88 and rules promulgated under those sections apply to radioactive waste site exploration, to activities related to radioactive waste site exploration and to persons engaging in or intending to engage in radioactive waste site exploration or related activities in the same manner as those sections and rules are applicable to mineral exploration, to activities related to mineral exploration and to persons engaging in or intending to engage in mineral exploration or related activities.

(b) *Exception.* Notwithstanding par. (a) and s. 144.832 (3), the department may waive the bond requirement for a person who is authorized to engage in radioactive waste site exploration by a federal agency if the federal agency provides sufficient guarantees that the person or the federal agency will comply with the requirements of the department relating to termination. Notwithstanding par. (a) and s. 144.832 (3), the department may require a bond in an amount in excess of the amount specified under s. 144.832 (3) (a) to ensure that sufficient funds are available to comply with termination requirements or to abate or remedy any environmental pollution or danger to public health, safety or welfare resulting from radioactive waste site exploration.

(c) *Hearing.* The department shall conduct a public hearing in the county where radioactive waste site exploration is to occur prior to granting an exploration license under s. 144.832 for radioactive waste site exploration. **Vetoed in Part**

(3) APPROVAL REQUIRED PRIOR TO DRILLING. No person may engage in radioactive waste site exploration by drilling on a parcel unless notice is provided as required under sub. (2) and s. 144.832 (4) (a) and unless the department issues a written approval authorizing drilling on that parcel. If the person seeking this approval is the federal department of energy or an agent or employe of the federal department of energy, the department may not issue the approval unless the radioactive waste review board certifies that the federal department of energy and its agents or employes have complied with any requirement imposed by the radioactive waste review board under s. 16.08 or any agreement entered into under that section.

(4) REGULATION OF EXPLORATION AND RELATED PROVISIONS. Sections 144.83, 144.93 and 144.935 and rules promulgated under those sections apply to radioactive waste site exploration, to activities related to radioactive waste site exploration and to persons engaging in or intending to engage in radioactive waste site exploration or related activities in the same manner as those sections and rules are applicable to mineral exploration, to activities related to mineral exploration and to persons engaging in or intending to engage in mineral exploration or related activities.

(5) GROUNDWATER REGULATIONS. A person engaging in radioactive waste site exploration shall comply with any restrictions or prohibitions concerning the pollution or contamination of groundwater under ss. 144.025 or 144.80 to 144.94 or ch. 147 or any rule or order promulgated under those sections or that chapter.

(6) ENVIRONMENTAL IMPACT. Radioactive waste site exploration may constitute a major action significantly affecting the quality of the human environment. No person may engage in radioactive waste site exploration unless the person complies with the requirements under s. 1.11. Notwithstanding s. 23.40, the state may charge actual and reasonable costs associated with field investigation, verification, monitoring, preapplica-

**Vetoed** tion services and preparation of an environmental impact statement. ~~Any fees or charges collected under this subsection shall be deposited into the general fund.~~  
**in Part**

(7) IMPACT ON RADIOACTIVE WASTE REVIEW BOARD. Nothing in this section limits the power or authority of the radioactive waste review board to impose more stringent requirements for the negotiation and approval of agreements under s. 16.08.

(8) IMPACT ON OTHER REQUIREMENTS. In addition to the requirements under this section, a person engaged in radioactive waste site exploration shall comply with all other applicable statutory requirements, rules and municipal ordinances and regulations. If a conflict exists between this section and another statute, rule, ordinance or requirement, the stricter provision controls.

SECTION 1557. 144.96 (3) (d) of the statutes is amended to read:

144.96 (3) (d) The annual operating plant discharge environmental fee under this section shall be paid for each plant at which pollutants are discharged. In any one year the amount portion of annual operating plant discharge environmental fee resulting from the reporting of the discharge of air contaminants shall be reduced for a plant which is a stationary source and which has paid fees under s. 144.399 by the amount of those fees.

SECTION 1558. 145.10 (3) of the statutes is amended to read:

145.10 (3) No order revoking a license or permit shall be made until after a public hearing to be held before the department ~~in the county where the licensee or permittee has his or her place of business. If the licensee or permittee is a nonresident, the hearing shall be at such place as the department designates.~~ At least 10 days prior to the hearing the department shall send written notice of the time and place of the hearing to the licensee or permittee and to the person's attorney or agent of record by mailing the notice to the last-known address of such persons. The testimony presented and proceedings had at the hearing shall be recorded and preserved as the records of the department. The department shall as soon thereafter as possible make its findings and determination and send a copy to each interested party. One year after the date of revocation, application may be made for a new license.

SECTION 1559. 145.19 (2) and (3) of the statutes are amended to read:

145.19 (2) FEE. ~~The~~ No fee for a sanitary permit shall not may be less than \$35 \$41, or the amount determined under department rule adopted after the effective date of this subsection (1983). The governing body for the governmental unit responsible for the regulation of private sewage systems may establish a fee for a sanitary permit which is more than \$35 \$41, or the amount determined under department rule adopted after the effective date of this subsection (1983).

(3) COPY AND PART OF FEE FORWARDED TO THE DEPARTMENT. The governmental unit responsible for the regulation of private sewage systems shall forward a copy of each valid sanitary permit and \$14 \$20, or the amount determined under department rule adopted after the effective date of this subsection (1983), of the fee to the department within 90 days after the permit is issued.

SECTION 1560. 145.19 (5) of the statutes is created to read:

145.19 (5) FEE ADJUSTMENT. The department, by rule promulgated under ch. 227, may adjust the minimum permit fee under sub. (2) and the fee portion forwarded under sub. (3).

SECTION 1561. 146.04 (3) of the statutes is repealed.

SECTION 1562. 146.36 of the statutes is renumbered 49.483 and amended to read:

**49.483 Cystic fibrosis aids.** (1) The state department may provide financial assistance for costs of medical care of financially needy persons over the age of 18 years with the diagnosis of cystic fibrosis. ~~This section shall be administered by the division for handi-~~

~~eapped children which shall adopt rules, including eligibility standards, and establish procedures for administration of this section.~~

(2) Approved costs for medical care under sub. (1) shall be paid from the appropriation under s. ~~20.255 (1) (b)~~ 20.435 (1) (e).

SECTION 1562m. 146.37 (1) of the statutes is amended to read:

146.37 (1) No person acting in good faith who participates in the review or evaluation of the services of health care providers or facilities or the charges for such services conducted in connection with any program organized and operated to help improve the quality of health care, to avoid improper utilization of the services of health care providers or facilities or to determine the reasonable charges for such services, or who participates in the ~~program authorized by contract~~ hospital rate-setting activities under ch. 54 or s. 146.60, is liable for any civil damages as a result of any act or omission by such person in the course of such review or evaluation.

SECTION 1563. 146.38 (3) (d) of the statutes is amended to read:

146.38 (3) (d) In a report in statistical form, ~~without identification of providers or facilities reviewed or evaluated, for educational purposes to the public or to any interested person.~~ The report may identify any provider or facility to which the statistics relate;

SECTION 1563r. 146.60 (4) of the statutes is created to read:

146.60 (4) HOSPITAL PARTICIPATION; APPLICABILITY. No hospital may charge any payer an amount exceeding rates established under this section. This section does not apply after the effective date of rules adopted by the hospital rate-setting commission under s. 54.05.

SECTION 1564. 146.70 (3) (d) of the statutes is repealed.

SECTION 1564m. 146.81 (1) of the statutes is amended to read:

146.81 (1) "Health care provider" means a nurse registered or licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a corporation thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employes in its own facility, or an inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86.

SECTION 1564r. 146.85 of the statutes is created to read:

**146.85 Medical education loan repayment grants.** (1) LOAN REPAYMENT GRANT APPLICATIONS. (a) Any physician who is either beginning the 3rd year of a residency program in general practice, family practice, general internal medicine or general pediatrics or who has completed such a residency program not more than 2 years prior to his or her application may apply to the department for a grant to assist in the repayment of a medical education loan obtained from a lending institution or the medical school the physician attended.

(b) The department may approve payment of the grant only if the physician has established a full-time primary care practice in an area designated by the department under sub. (3) (b) 2 and has maintained the practice for the immediately preceding year. The department shall give priority to those physicians who are graduates of the university of Wisconsin medical school, the medical college of Wisconsin or a residency program located in this state.

(2) GRANTS. From the appropriation under s. 20.435 (1) (ff), up to \$40,000 in loan principal and accrued interest commitment incurred by a physician may be awarded by the department under this section over a 4-year period. Twenty percent of the total

amount shall be awarded after the first year of service by the physician. If the physician receiving a first year grant reapplies annually for the continuation of the grant, 20% shall be awarded after each of the 2nd and 3rd years of service and the balance shall be awarded after the 4th year of service.

(3) **PRIMARY CARE SHORTAGE AREAS.** (a) The department shall by rule develop criteria for identifying areas of this state in which there is a shortage of primary care medical services. The criteria may include descriptions of the types of geographic units to be considered, the distance from existing primary care medical services, the existing primary medical care capabilities of proposed shortage areas and contiguous areas and a minimum primary care physician to population ratio of one to 2,500. In this paragraph "primary care medical services" means medical services provided by general practitioners, family practitioners, general internal medicine practitioners and general pediatricians.

(b) 1. Annually, the department shall identify primary care shortage areas on the basis of the criteria developed under par. (a) and distribute a list of the areas to health systems agencies, local governmental agencies and medical societies for their recommendations. Upon receiving the recommendations, the department shall submit an amended list of primary care shortage areas to the health policy council for its approval. Annually, the department shall publish the approved list.

2. Upon receiving the recommendations of the council on medical education loan repayment grants under sub. (4) (b), the department shall designate specific areas in which physicians applying for grants under this section may locate.

(4) **COUNCIL ON MEDICAL EDUCATION LOAN REPAYMENT GRANTS.** (a) The council on medical education loan repayment grants shall make recommendations to the department relating to:

1. Criteria for determining which medical education loans are eligible for repayment grants under this section.

2. A procedure for accepting applications for loan repayment grants.

3. A procedure for annually matching loan repayment grant applicants with the appropriate designated areas under sub. (3) (b) 2.

4. A procedure for annually certifying that the intent of the program under this section is being implemented.

(b) From the list of primary care shortage areas published by the department under sub. (3) (b) 1, the council shall annually recommend to the department areas in which physicians applying for grants under this section may locate.

(5) **REPORT.** Beginning January 1, 1987, and biennially thereafter, the department shall report to the appropriate standing committees of each house of the legislature, as determined by the presiding officer, on the results of the program under this section.

(6) **APPLICABILITY.** No application for a first year loan repayment grant under this section may be accepted by the department before July 1, 1983 or after June 30, 1990.

**SECTION 1565c.** 149.01 (1) of the statutes is amended to read:

149.01 (1) **ESTABLISHMENT, GOVERNMENT.** Every county may, under this section, establish a county tuberculosis sanatorium. In counties having a population of 250,000 or more such institution shall be governed under s. 46.21. In all other counties it shall be governed under ss. 46.18, 46.19 and 46.20, except as otherwise provided in this section. ~~All such institutions are subject to ch. 150.~~

**SECTION 1565g.** 149.02 (6) of the statutes is repealed.

**SECTION 1565n.** 149.03 (4) of the statutes is repealed.

**SECTION 1565r.** 149.06 (11) of the statutes is repealed.

**SECTION 1565w.** Chapter 150 of the statutes is repealed and recreated to read:

CHAPTER 150  
REGULATION OF HEALTH SERVICES  
SUBCHAPTER I  
DEFINITIONS AND GENERAL PROVISIONS

**150.01 Definitions.** In this chapter:

- (1) "Acquisition" includes a change in ownership.
- (2) "Affected party" means the applicant, health systems agencies and other local planning agencies, governmental agencies, other persons providing similar services in the applicant's service area, the public to be served by the proposed project, 3rd party payers and any other person who the department determines to be affected by an application for approval of a project.
- (3) "Approval" means a written statement from the department authorizing a person to commence implementing a project under review.
- (4) "Approved bed capacity" means the bed count collected and verified by the department and by a hospital.
- (5) "Bed capacity" means the number of beds stated on the license of a nursing home issued under s. 50.03.
- (6) "Capital expenditure" means an expenditure by or on behalf of a nursing home or hospital that, under generally accepted accounting principles, is not properly chargeable as an expense of operations or maintenance.
- (7) "Capital expenditure limit" means the maximum amount of capital expenditures that may be approved under subch. III.
- (8) "Community-based residential facility" has the meaning specified in s. 50.01 (1).
- (9) "Cost overrun" means an obligation exceeding the maximum capital expenditure authorized by an approval.
- (10) "Department" means the department of health and social services.
- (11) "Health systems agency" has the meaning specified in 42 USC 300L.
- (12) "Hospital" has the meaning specified in s. 50.33 (1), excluding the facilities exempted by s. 50.39 (3).
- (13) "Medical assistance" has the meaning specified in s. 49.43 (9).
- (14) "Natural disaster" means a flood, ice storm, tornado, severe windstorm, mudslide or other act of destruction resulting from weather or geologic conditions beyond the control of the applicant.
- (15) "Nursing home" has the meaning specified in s. 50.01 (3).
- (16) "Obligation" means any enforceable contract that is entered into for the construction, leasing, acquisition or permanent financing of a capital asset.
- (17) "Person" includes the state.
- (18) "Specialized service" means the provision by or on behalf of a hospital, independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99 of cardiac surgery.
- (19) "Statewide bed limit" means the maximum number of nursing home beds allowed to be licensed under ch. 50.
- (20) "Substantial and continuing progress" means spending more than 20% of a project's approved cost, including fees for legal services, planning studies, financing, consultants, inspections, permits, architectural services and interest during construction.
- (21) "Substantial change in a health service" means the addition of a service or unit or expansion of an existing service or unit by or on behalf of a hospital, resulting in annual operating revenues exceeding \$250,000, as adjusted under s. 150.15.

(22) "Working day" has the meaning specified in s. 227.01 (12).

**150.03 Rule making; forms.** The department shall adopt rules and set standards to administer this chapter. The department shall create the forms to be used and timetables to be followed in applying for an approval and in applying for the renewal or modification of an approval. The department shall issue a statement of the applicable rules and procedures to be followed in reviewing an application with each application form.

**150.05 Actions in circuit court.** Notwithstanding the existence or pursuit of any other remedy the department may, after consulting with the attorney general, maintain an action in the name of the state in circuit court to restrain or enjoin any violation of this chapter or rules adopted under this chapter.

**150.07 Subdividing projects prohibited.** No person may subdivide a project to avoid the requirements of this chapter. Transactions separated by 5 years or less that are components of an overall plan for meeting patient care objectives are part of one project.

**150.09 Staff.** The department may employ staff as needed to administer this chapter.

**150.11 Enforcement.** (1) The department may refuse to issue or renew any license for a nursing home, and any approval for a hospital, that fails to comply with this chapter.

(2) No person may recover through charges or rates any depreciation, interest or principal payments or any operating expenses associated with a project subject to this chapter that does not have the department's approval.

(3) (a) If a project whose cost falls below the minimum threshold specified in s. 150.21 (3) or (4) or 150.61 (1), (2) or (3) incurs costs exceeding the threshold, the person who operates the project shall submit an application for the department's approval under s. 150.21 or 150.61.

(b) If a project that has received the department's approval incurs a cost overrun, the person who operates the project shall submit another application for the department's approval under s. 150.21 or 150.61.

(c) Any person required to submit an application under this subsection for the department's approval under s. 150.21 shall comply with the time limits for submission of applications under s. 150.33. The department shall afford an applicant under this subsection a reasonable time to obtain its approval but if it rejects the application it may refuse to issue or renew a license or approval, as specified in sub. (1), and costs associated with the project may not be recovered through charges or rates, as specified in sub. (2). If the department approves the project it shall fine the person who operates the project not less than 10% and not more than 50% of the costs exceeding the threshold under par. (a) or of the cost overrun under par. (b).

(4) The department's approval of any project is revoked if the capital expenditures specified in the approval have not been obligated, if permanent financing has not been obtained or if substantial and continuing progress has not been undertaken within the period specified in the approval. In addition, the department's approval of any project is revoked if the person who operates a project misses any other deadlines specified in the approval and fails to make a good faith effort to meet these deadlines.

(5) The department may reject the application for approval of a project operated by any person who has repeatedly been subject to the penalties specified in this section or may impose restrictions as part of its approval to ensure compliance with this chapter.

**150.13 Fees.** Any person applying for approval under this chapter shall pay an application fee equal to 0.37% of the estimated project cost, but not less than \$1,850 and not more than \$37,000. No application is complete without payment of the correct fee.

**150.15 Indexing dollar thresholds.** The department shall annually adjust the dollar thresholds under ss. 150.01 (21) and 150.61 (1) to (3) to reflect changes in the composite construction cost index, as determined by the federal department of commerce. On or

before January 1, the department shall annually report its adjustments under this section to the joint committee on finance for its consideration and recommendations.

SUBCHAPTER II  
RESOURCE ALLOCATION PROGRAM; LONG-TERM CARE

**150.21 Applicability.** This subchapter applies to any person who intends to engage in any of the following activities:

- (1) The construction or total replacement of a nursing home.
- (2) An increase in the bed capacity of a nursing home.
- (3) A capital expenditure that exceeds \$600,000 by or on behalf of a nursing home.
- (4) An expenditure that exceeds \$600,000 for clinical equipment by or on behalf of a nursing home.

**150.27 Limitation on per diem rates.** The per diem rates stated in an application being reviewed under this subchapter are the maximum allowable reimbursement that may be granted by the department for the first full year following licensure of the new beds or completion of the approved project. If the medical assistance reimbursement formula under s. 49.45 (6m) generates per diem rates that are less than those stated in the application under review, the department shall use the lower rates.

**150.29 Approval requirement.** (1) No person may enter into an obligation for a project described in s. 150.21 or engage in activities described in that section without the department's prior approval.

(2) In its approval of any project the department shall specify the total number of approved additional beds and the maximum capital expenditure and per diem rates permitted.

**150.31 Statewide bed limit.** (1) In order to enable the state to budget accurately for medical assistance and to allocate fiscal resources most appropriately, the maximum number of nursing home beds statewide that may be used is 51,959 and the maximum number of beds statewide in facilities primarily serving the developmentally disabled is 3,512. The department may adjust these limits on the use of beds as provided in subs. (2) to (4). The department shall also biennially recommend changes to this limit based on the following criteria:

- (a) The number of licensed nursing home beds.
- (b) The number of nursing home beds approved under s. 150.06, 1981 stats., for which obligations have been entered into but that have not yet been licensed and have not had their certificates of need voided.
- (c) The total number of additional nursing home beds approved under s. 150.29.
- (d) The availability of alternatives less costly than increasing the number of nursing home beds to provide long-term care.
- (e) The amount of medical assistance funds available or to be made available in the following biennial executive budget for additional nursing home beds.
- (f) The cost of providing additional nursing home beds.

(2) The department may increase the statewide bed limit specified in sub. (1) to account for the conversion of community-based residential facilities to nursing homes in order to maintain medical assistance certification, as provided in s. 49.45 (16).

(3) The department may decrease the statewide bed limit specified in sub. (1) to account for nursing home beds that are not set up or not staffed due to life safety code or physical plant requirements under s. 50.04, but that have not been permanently removed from the nursing home's bed capacity. In addition, the department may decrease the statewide bed limit specified in sub. (1) to account for beds closed under a medical assis-

tance waiver, as specified in 42 USC 1396n (c) or under other medical assistance waivers specified in 42 USC 1396 to 1396n.

(4) The department may decrease the statewide bed limit in facilities primarily serving the developmentally disabled in order to account for any decreased use of beds at the state centers for the developmentally disabled due to the community integration program under s. 46.275.

(5) The department may not approve or license any additional nursing home beds if the addition of those beds would exceed the limits established under subs. (1) to (4).

(6) The department may allocate or distribute nursing home beds in a manner, developed by rule, that is consistent with the criteria specified in sub. (1) (a) to (f) and s. 150.39.

**150.33 Requests for projects.** (1) At least once each year the department shall publish a class 2 notice under ch. 985 concerning the number of additional nursing home beds, if any, to be allowed in each of its health planning areas. The department shall define the boundaries of these areas by rule. The notice shall state the procedures by which any person may apply and receive approval for those beds.

(2) The department shall annually publish a class 2 notice under ch. 985 soliciting from each health planning area applications that involve capital expenditures for a nursing home in excess of \$600,000 but that do not involve the addition of beds, applications that propose to replace all or a portion of an existing nursing home and applications that propose to add nursing home beds in any health planning area.

(3) The department shall provide forms for submitting applications but may only accept applications submitted within 60 days after it publishes a notice under sub. (1) or (2).

(4) The department may accept any application that is not filed within the time limit specified in sub. (3) if it involves a capital expenditure of over \$600,000 but does not increase the bed capacity of a nursing home or totally replace an existing nursing home and if it is developed under a plan of correction, as defined in s. 50.01 (4r), previously approved by the department, or if it involves a cost overrun submitted under s. 150.11 (3). The department shall review such a project within 60 days after receiving a completed application according to procedures it develops by rule. No person may submit an application under this subsection without the department's prior written authorization.

**150.35 Review process.** (1) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. Each applicant shall provide any required additional information within 30 days following the closing date for accepting applications specified in s. 150.33 (3). The department may not accept for review any incomplete application if it fails to receive the additional information within this 30-day period until it issues another public notice soliciting applications under s. 150.33 (1) or (2).

(2) The department shall issue a class 2 notice under ch. 985 within 20 days after the date on which it declares all applications complete under sub. (1), listing all applicants and describing their projects. Each health systems agency shall hold a public meeting upon the request of an affected party to review projects seeking approval in its service area, at which all affected parties may present testimony. The health systems agency shall make recommendations on these projects within 60 days after the department issues its notice declaring all applications complete. The health systems agency shall keep minutes or other record of testimony presented at the public meeting and shall send a copy of this record, plus its recommendations, to the department. If an applicant seeks approval of a project outside the service area of any health systems agency, the department shall conduct the public meeting.

(3) The department shall issue an initial finding to approve or reject the project within 75 days after the date it publishes its notice under sub. (2), unless all applicants consent to an extension of this period. The department may extend by 60 days the review cycle of all projects being concurrently reviewed under sub. (2), if it finds that completing the reviews within 75 days after the date it publishes its notice under sub. (2) is not practicable due to the volume of applications received from any health planning area. The department shall base its initial finding on a comparative analysis of applications, relying on the criteria specified in s. 150.39 and the recommendations received from the health systems agency. The applicant has the burden of proving, by a preponderance of the evidence, that each of the criteria specified in s. 150.39 has been met or does not apply to the project. The department may approve fewer additional nursing home beds than allowed by the statewide bed limit if the cost of adding those beds exceeds the medical assistance allocation for new beds projected in s. 150.31 (1) (e). Unless an adversely affected applicant or health systems agency makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final action.

(4) (a) Any applicant whose project is rejected or any adversely affected health systems agency may request a public hearing to review the department's initial finding under sub. (3), if the request is submitted in writing within 10 days after the department's decision. The department shall commence the hearing within 30 days after receiving a timely request, unless all parties consent to an extension of this period.

(b) Sections 227.064 to 227.13 do not apply to hearings under this subsection. The department shall adopt rules to establish:

1. Procedures for scheduling hearings under this subsection.
2. Procedures for conducting hearings under this subsection, including methods of presenting arguments, cross-examination of witnesses and submission of exhibits.
3. Procedures following the completion of a hearing under this subsection, including the establishment of time limits for issuance of a decision.
4. Standards relating to ex parte communication in hearings under this subsection.
5. Procedures for reconsideration and rehearing.

(c) The department shall issue all decisions in writing.

(d) Each applicant at any hearing under this subsection has the burden of proving, by clear and convincing evidence, that the department's initial finding was contrary to the weight of the evidence on the record when considered as a whole, arbitrary and capricious or contrary to law.

**150.39 Review criteria and standards.** The department shall use the following criteria in reviewing each application under this subchapter, plus any additional criteria it develops by rule. The department shall consider cost containment as its first priority in applying these criteria, and shall consider the recommendations of health systems agencies and the comments of affected parties. The department may not approve any project under this subchapter unless the applicant demonstrates:

(1) The medical assistance funds appropriated are sufficient to reimburse the applicant for providing the nursing home care.

(2) The cost of renovating or providing an equal number of nursing home beds or of an equal expansion would be consistent with the cost at similar nursing homes, and the applicant's per diem rates would be consistent with those of similar nursing homes.

(3) The project does not conflict with the statewide bed limit under s. 150.31.

(4) A need for additional beds in the health planning area where the project would be located.

(5) The project is consistent with local plans for developing community-based services to provide long-term care.

(6) Health care personnel, capital and operating funds and other resources needed to provide the proposed services are available.

(7) The project can be undertaken within the period of validity of the approval and completed within a reasonable period thereafter.

(8) Appropriate methods alternative to providing nursing home care in the health planning area are unavailable.

(9) The project is consistent with the state health plan created under s. 14.25 (1) (c).

(10) The quality of care to be provided is satisfactory, as determined by:

(a) The department's investigations.

(b) Materials submitted by the applicant, including independent evaluations of performance in nursing homes owned or operated by the applicant and patient satisfaction surveys.

(c) Recommendations from affected parties concerning the quality of care provided in nursing homes owned or operated by the applicant.

**150.41 Approvals not transferable.** No person may transfer through sale, lease or donation any approval granted under this subchapter. The sale, lease or donation of a nursing home before the completion or licensure of a project at that nursing home voids the approval. This section does not apply to transfers of stock within a corporation that do not alter the controlling interest in the corporation.

**150.43 Judicial review.** Any applicant or health systems agency adversely affected by a decision of the department under s. 150.35 (4) may petition for judicial review of the decision under s. 227.15. The scope of judicial review shall be as provided in s. 227.20 and the record before the reviewing court shall consist of:

(1) The application and all supporting material received prior to the department's decision under s. 150.35 (3).

(2) The recommendations of the health systems agency or of the department under s. 150.35 (2).

(3) The record of the public meeting under s. 150.35 (2).

(4) The department's analysis of the project and its compliance with the criteria specified in s. 150.39.

(5) Concluding briefs and arguments at a hearing and the findings of fact of the hearing examiner at the hearing under s. 150.35 (4).

(6) The department's findings and conclusions issued under s. 150.35 (3).

**150.45 Validity of an approval.** (1) An approval is valid for one year from the date of issuance. The department may grant a single extension of up to 6 months, but only if a strike against or bankruptcy of a contractor, subcontractor or major supplier previously committed to the project occurs or if a fire or natural disaster significantly delays or damages the project.

(2) The department shall specify the maximum capital expenditure that may be obligated for a project.

(3) Any person whose project has been approved under this subchapter shall document in writing, on forms developed by the department, the progress of the project. The person shall submit these forms semiannually until the project is completed. On these forms, the person shall:

(a) Identify the project and the approval holder.

(b) Specify the date of approval.

(c) Describe the stages of the project that are complete.

(d) Report on the project's status, including any deficiencies.

(e) Identify any cost overrun and propose changes in the project necessary to reduce costs, so as not to exceed the maximum approved capital expenditure.

(f) Estimate the date that uncompleted stages of the project will be completed.

### SUBCHAPTER III

#### CAPITAL EXPENDITURE REVIEW PROGRAM

**150.61 Applicability.** No person may do any of the following without first obtaining the department's approval:

(1) Obligate for a capital expenditure, by or on behalf of a hospital, that exceeds \$600,000, as adjusted under s. 150.15. The cost of the studies, surveys, plans and other activities essential to the proposed capital expenditure shall be included in determining the value of the capital expenditure. Any donation of equipment or facilities that, if acquired directly, would be subject to review under this subchapter is a capital expenditure. Any transfer of equipment or facilities for less than fair market value that, if transferred at fair market value, would be subject to review under this subchapter is a capital expenditure.

(2) Undertake a substantial change in a health service. If the department finds that the substantial change in a health service would result in annual operating revenues less than or equal to \$500,000, as adjusted under s. 150.15, it shall expedite review of the application for approval. The department shall, by rule, establish its expedited process under this paragraph.

(3) Obligate for an expenditure, by or on behalf of a hospital, independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99, that exceeds \$600,000 for clinical medical equipment, as adjusted under s. 150.15.

(4) Purchase or otherwise acquire a hospital.

(5) Add to a hospital's approved bed capacity.

(6) Construct or operate an ambulatory surgery center or a home health agency.

**150.65 Notification requirement.** Any person intending to undertake a project subject to this subchapter shall notify the department in writing of this intent at least 30 days prior to submitting an application for review. Any application expires unless the department declares it complete within one year after the date the applicant notifies the department of its intent to undertake the project.

**150.67 Review requirements.** (1) The department's review of an application begins on the date it receives a completed application. On or before the 20th day of the month following receipt of a completed application, the department shall send a notice of receipt of a completed application to the applicant and shall publish a class 2 notice under ch. 985 containing this information in a daily newspaper with general circulation in the area where the proposed project would be located.

(2) The department may group applications for the same or similar types of facilities, services or applications that are proposed within the same health planning area, as defined by the department under s. 150.33 (1), for concurrent review. The department shall base its review under this subsection on a comparative analysis of these applications, using the criteria specified in s. 150.69 and a ranking of its priorities. The applicant has the burden of proving, by a preponderance of the evidence, that each of the criteria specified in s. 150.69 has been met or does not apply to the project. The department shall, by rule, establish its review requirements under this subsection.

**150.69 Review criteria.** The department shall use the following criteria in reviewing each application under this subchapter, plus any additional criteria it develops by rule. The department shall consider cost containment as its first priority in applying these criteria, and shall consider the recommendations of health systems agencies and the comments of affected parties. The department may not approve any project under this subchapter unless the applicant demonstrates:

(1) The project is consistent with the state health plan created under s. 14.25 (1) (c) and with the state medical facilities plan created under s. 150.83.

(2) A need for the project, as determined by current and projected utilization.

(3) The project would efficiently and economically use resources, including financing for capital investment and operating expenses, when measured against alternative uses of resources.

(4) Sufficient cash reserves and cash flow to pay operating and capital costs.

(5) Increases in operating and capital costs resulting from the project are reasonable, including the direct charge to the consumer, the applicant's projected request for rate increases under s. 146.60 and the charges to be paid by medical assistance and by disability insurers. The agent that establishes hospital rates under s. 146.60 shall determine the effect on these rates of the applicant's project and provide an analysis to the department within 45 days after the department receives a completed application.

(6) Financing is available at market rates.

(7) Health care personnel are available and would be effectively used.

(8) Proposed construction costs are consistent with industry averages.

(9) Any proposed addition of area and construction or renovation alternatives are cost-effective.

(10) The project is consistent with the standards for decision-making and the rate-setting methodology established under s. 146.60.

(11) The project is consistent with efficiency standards and criteria.

(12) The applicant is participating in a utilization review program that is applicable to a statistical sampling of all hospital patients regardless of payment source, that requires public disclosure of all review data in a form useful to the department but protects the identities of individual patients and health care professionals and that is conducted by persons who are free of any substantial conflict of interest.

**150.71 Review process.** (1) Each health systems agency shall hold a public meeting upon the request of an affected party to review projects seeking approval in its service area, at which all affected parties may present testimony. The health systems agency shall make recommendations on these projects in accordance with the review criteria specified in s. 150.69 within 60 days after the department issues its notice declaring all applications complete. The health systems agency shall keep minutes or other record of testimony presented at the public meeting and shall send a copy of this record, plus its recommendations, to the department. If an applicant seeks approval of a project outside the service area of any health systems agency, the department shall conduct the public meeting.

(2) The department shall issue an initial finding to approve or reject the project within 75 days after the date it publishes its notice under s. 150.67 (1), unless all applicants consent to an extension of this period. The department may not require substantial modification of any project as a condition of approval without the applicant's consent. The department may extend by 60 days the review cycle of all projects being reviewed concurrently under s. 150.67 (2), if it finds that completing the reviews within 75 days after the date it publishes its notice under s. 150.67 (1) is not practicable due to the volume of applications received from any health planning area. The department shall submit its decision to the applicant and to the health systems agency that reviewed the application under sub. (1), if any. Unless the applicant or health systems agency makes a timely request for a hearing under sub. (3), the department's initial finding under this subsection is its final action.

(3) (a) Any applicant whose project is rejected or any adversely affected health systems agency may request a public hearing to review the department's initial finding under sub. (2), if the request is submitted in writing within 10 days after the department's decision, or may initiate a hearing under s. 227.064. The department shall commence the hearing under sub. (2) within 30 days after receiving a timely request, unless all parties consent to an extension of this period.

(b) Except as provided in s. 227.064, ss. 227.065 to 227.13 do not apply to hearings under this subsection. The department shall adopt rules to establish:

1. Procedures for scheduling hearings under this subsection.
2. Procedures for conducting hearings under this subsection, including methods of presenting arguments, cross-examination of witnesses and submission of exhibits.
3. Procedures following the completion of a hearing under this subsection, including the establishment of time limits for issuance of a decision.
4. Standards relating to ex parte communication in hearings under this subsection.
5. Procedures for reconsideration and rehearing.

(c) The department shall issue all decisions in writing.

(d) Each applicant at any hearing under this subsection has the burden of proving, by clear and convincing evidence, that the department's initial finding was contrary to the weight of the evidence on the record when considered as a whole, arbitrary and capricious or contrary to law.

**150.73 Judicial review.** Any applicant or health systems agency adversely affected by a decision of the department under s. 150.71 (3) may petition for judicial review of the decision under s. 227.15. The scope of judicial review shall be as provided in s. 227.20 and the record before the reviewing court shall consist of:

(1) The application and all supporting material received prior to the department's initial finding under s. 150.71 (2).

(2) The recommendation of the health systems agency under s. 150.71 (1).

(3) The record of the public meeting under s. 150.71 (1).

(4) The department's analysis of the project and its compliance with the criteria specified in s. 150.69.

(5) The record of the hearing held under s. 150.71 (3).

(6) The department's decision and analysis issued under s. 150.71 (2) or (3) (c).

**150.75 Validity and contents of an approval.** (1) An approval is valid for one year from the date of issuance. The department may grant a single extension of up to 6 months.

(2) The department shall specify the maximum expenditure that may be obligated for a project.

(3) Each approval shall include the proposed timetable for implementing and completing the project and, for the 3-year period following completion of the project, the project's depreciation and interest schedule, staff required for the project, the proposed per diem rate needed to pay capital costs and the proposed per diem rate needed to pay operating costs.

**150.79 Rate setting.** Rate reimbursement to cover the cost of the project established for medical assistance under s. 49.45 (3) (e) or established under s. 146.60 may not exceed the rates proposed in the approval under s. 150.75 (3) by more than 5% during the 3-year period following completion of the project. This section does not apply if the hospital demonstrates to the satisfaction of the rate-setting agent under s. 146.60 that the excess was due to conditions beyond its control.

**150.81 Capital budget reporting.** Each hospital shall annually report to the department a proposed capital budget for the 5-year period that begins with the effective date of this section (1983). This budget shall specify all anticipated capital expenditures subject to this subchapter. Each hospital shall submit its report and its anticipated application dates to the department no later than 180 days after the effective date of this section (1983). No application from a hospital under s. 150.65 to approve a project is complete until the department receives this information.

**150.83 State medical facilities plan.** (1) The department shall adopt a state medical facilities plan at least once every 3 years that includes a description of the hospital system in the state and identifies needed or surplus hospital beds. Each plan, except the initial plan adopted under this subsection, shall also include a description of needed and surplus health services plus other components the department finds useful.

(2) The department may not accept any application for a project under this subchapter for the addition of hospital beds that would exceed the number of beds authorized by the state medical facilities plan for the acute care service area where the project would be located. The department shall establish its method for defining an acute care service area by rule.

SUBCHAPTER IV  
REVOCATION OF APPROVAL  
FOR SPECIALIZED SERVICES

**150.91 Rule making.** The department shall adopt rules to implement this subchapter and to ensure that the specialized services offered are needed, reasonably accessible and provided in a manner consistent with community-defined quality of care standards. The department shall submit rules proposed under this section to the health policy council, performing its function as the statewide health coordinating council under s. 14.25 (1), for the council's review prior to their adoption.

**150.93 Revocation of approvals.** (1) After issuing the notice and warning required under subs. (2) and (3) the department may revoke its approval of any specialized service if it finds that the service is clearly and demonstrably not needed by the community being served or that the provider is incapable of maintaining the service.

(2) (a) The department shall issue a notice in writing of its intent to revoke its approval of a specialized service under this subchapter at least 90 days prior to initiating formal action. The notice shall specify the basis on which the department reached its preliminary decision to revoke approval of a specialized service. The department shall submit the notice of its preliminary decision to the health systems agency in whose service area the specialized service is located, if any, and shall wait at least 60 days for the health systems agency's review and comments concerning the preliminary decision.

(b) The department may reach a final decision only after it holds a hearing and the hearing officer prepares written findings and conclusions or after the provider of the specialized service waives the hearing. Sections 227.064 to 227.13 do not apply to hearings under this paragraph. Hearings conducted under this paragraph are subject to the rules adopted under s. 150.71 (3) (b).

(c) Each service provider appearing at a hearing under par. (b) has the burden of proving that the specialized service is clearly and demonstrably needed by the community being served and that the provider is capable of maintaining the service.

(3) If the department finds that a specialized service is temporarily out of compliance with rules it has adopted under s. 150.91, but that the service is needed, it shall warn the service provider and work with the service provider to establish a plan of correction with a reasonable timetable. Failure to comply with the timetable is cause for revoking the approval.

(4) The department shall review each specialized service at least once every 5 years but not more than once every 3 years to determine if it is clearly and demonstrably needed by the community being served and if the provider is capable of maintaining the service. The department shall complete its initial review of all specialized services within 12 months from the date it adopts its rules under s. 150.91.

(5) If the department revokes its approval of any specialized service it shall grant the service provider a reasonable time, not to exceed one year, to cease providing the service.

**150.97 Appeal.** Any service provider or health systems agency adversely affected by a final decision of the department under s. 150.93 (2) (b) may petition for judicial review of the decision under s. 227.15. The scope of judicial review shall be as provided in s. 227.20 and the record before the reviewing court shall consist of:

(1) The notice specifying the basis on which the department reached its preliminary decision under s. 150.93 (2) (a).

(2) Any comments received from a health systems agency under s. 150.93 (2) (a).

(3) The record of the hearing held under s. 150.93 (2) (b), including the hearing officer's findings and conclusions.

(4) The department's analysis of the need for the specialized service by the community being served and of the provider's capability of maintaining the service.

**150.99 Specialized service operating without approval.** No person may recover through health care payment rates any depreciation, interest or principal repayments or any operating expenses associated with a specialized service whose approval, issued under s. 150.61, has been revoked under this subchapter. Any person who continues to maintain or operate a specialized service after the department revokes its approval of the service forfeits not less than \$100 nor more than \$1,000. Each day of violation constitutes a separate offense.

**150.995 Inspections.** The department may make inspections it finds reasonably necessary under this subchapter, not more frequently than once a year, to obtain compliance with its rules adopted under s. 150.91. To the extent possible, the department shall coordinate its inspections with other regulatory and accrediting bodies, both governmental and private.

SECTION 1566. 162.04 (1) of the statutes is amended to read:

162.04 (1) Every (a) (title) *Registration requirement.* Except as provided under ss. 162.047 and 162.05, no person, firm or corporation before engaging may engage in the industry business of well drilling or pump installing in this state as herein provided unless the person registers each place of business or retail outlet he or she operates as a well driller or pump installer and pays the required permit fee.

(b) (title) *Application.* A person who seeks to register as a well driller or pump installer shall make application apply to the department for registration of each place of business or retail outlet operated by him he or she operates as a well driller, pump installer or both, upon blanks prepared by the department for such this purpose and shall accompany such. The application with shall be accompanied by a permit fee for each place of business or retail outlet included in the application as follows: well driller, \$15; pump installer, \$10; well driller and pump installer, \$25. Such.

(c) (title) *Renewal.* In order to retain registration as a well driller or pump installer a person shall apply for registration and permit shall be renewed renewal and pay the required permit fees annually on or before January 1 at the above stated permit fees. Application of each year.

(e) (title) *Late fees.* A person who files an application for registration renewal shall be filed on or before January 1 and if filed or who fails to pay the required annual permit fees after that date January 1 shall pay a late penalty of \$5 shall be charged \$15.

SECTION 1567. 162.04 (1) (d) of the statutes is created to read:

162.04 (1) (d) *Permit fee.* The permit fees required for registration application or annual renewal are as follows:

1. Well driller, \$50.
2. Pump installer, \$25.
3. Well driller and pump installer, \$75.

SECTION 1568. 165.25 (1) of the statutes is amended to read:

165.25 (1) REPRESENT STATE. Except as provided in s. 59.47 (7), appear for the state and prosecute or defend all actions and proceedings, civil or criminal, in the court of appeals and the supreme court, in which the state is interested or a party, and attend to and prosecute or defend all civil cases sent or remanded to any circuit court in which the state is a party; and, if requested by the governor, ~~or either branch of the legislature or the radioactive waste review board under s. 16.08 (7)~~, appear for and represent the state, any state department, agency, official, employe or agent, whether required to appear as a party or witness in any civil or criminal matter, and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people of this state may be interested. The radioactive waste board may request under s. 16.08 (7) that the attorney general intervene in federal proceedings. All expenses of the proceedings shall be paid from the appropriation under s. 20.455 (1) (d).

SECTION 1568m. 165.25 (4) of the statutes is amended to read:

165.25 (4) FURNISH LEGAL SERVICES; APPROPRIATION. (a) The department of justice shall furnish all legal services required by the investment board, the department of transportation, the department of natural resources, and the department of employe trust funds, together with any other services, including stenographic and investigational, as are necessarily connected with the legal work.

(c) The department shall at the end of each fiscal year, except for programs financed out of the general fund and except for services required to be provided by statute other than this subsection, render to the respective departments enumerated in this subsection an itemized statement of the total cost of the legal and other services including travel expenses and legal expenses enumerated in s. 20.455 (1) (d).

(d) Upon receipt of the statement, the respective department head shall audit the same and upon finding it to be correct shall certify the amount of the statement to the department of administration to be paid into the general fund out of the department's proper appropriation.

SECTION 1568n. 165.25 (4m) (title) of the statutes is repealed.

SECTION 1568o. 165.25 (4m) of the statutes is renumbered 165.25 (4) (b).

SECTION 1569. 165.25 (6m) of the statutes is created to read:

165.25 (6m) ATTORNEY FOR STATE WITNESSES. At the request of the head of any department or agency of state government, the attorney general may appear for and represent any state official, employe or agent who is required to appear as a witness in any administrative or civil matter.

SECTION 1571m. 165.83 (2) (f) of the statutes is amended to read:

165.83 (2) (f) Collect information concerning ~~the number and nature of offenses known to have been committed in this state,~~ the legal action taken in connection with such offenses committed in this state from the inception of the complaint to the final discharge of the defendant and such other information as may be useful in the study of crime and the administration of justice. The administrator of the division may determine any other information to be obtained regarding crime statistics. ~~However, the information shall include such data as may be requested by the F.B.I. under its system of uniform crime reports for the United States records.~~

SECTION 1572m. 165.83 (2) (g) of the statutes is amended to read:

165.83 (2) (g) Furnish all reporting officials with forms and instructions which specify in detail the nature of the information required under pars. (a) to (f), ~~the time it is to be forwarded, the method of classifying and such~~ any other matters as shall which facilitate collection ~~and compilation~~.

SECTION 1574m. 165.83 (2) (m) of the statutes is amended to read:

165.83 (2) (m) Prepare and publish reports and releases, at least once a year ~~and no later than July 1~~, containing the statistical information gathered under this section and presenting an accurate picture ~~of crime in this state and~~ of the operation of the agencies of criminal justice.

SECTION 1575m. 165.83 (2) (p) of the statutes is amended to read:

165.83 (2) (p) Cooperate with other agencies of this state, ~~the crime information agencies of other states, and the uniform crime reports and~~ the national crime information center systems of the F.B.I. in developing and conducting an interstate, national and international system of criminal identification, records and statistics.

SECTION 1576c. 165.85 (1) of the statutes is amended to read:

165.85 (1) FINDINGS AND POLICY. The legislature finds that the administration of criminal justice is of ~~state-wide~~ statewide concern, and that law enforcement work is of vital importance to the health, safety and welfare of the people of this state and is of such a nature as to require training, education and the establishment of standards of a proper professional character. ~~It is in the public interest that such~~ The public interest requires that these standards be established and that ~~such~~ this training and education be made available to persons who seek to become law enforcement or jail officers, persons who are serving as ~~such~~ these officers in a temporary or probationary capacity and persons already in regular service.

SECTION 1576d. 165.85 (2) (bg) of the statutes is created to read:

165.85 (2) (bg) "Jail" means a county jail, rehabilitation facility established by s. 59.07 (76), county house of correction under s. 56.16 or secure detention facility as defined in s. 48.02 (16).

SECTION 1576e. 165.85 (2) (bn) of the statutes is created to read:

165.85 (2) (bn) "Jail officer" means any person employed by any political subdivision of the state for the purpose of supervising, controlling or maintaining a jail or the persons confined in a jail. "Jail officer" includes officers regardless of whether they have been sworn regarding their duties or whether they serve on a full-time basis.

SECTION 1576f. 165.85 (3) (c) of the statutes is amended to read:

165.85 (3) (c) Certify persons as being qualified under this section to be law enforcement or jail officers.

SECTION 1576g. 165.85 (3) (d) of the statutes is amended to read:

165.85 (3) (d) Establish minimum curriculum requirements for preparatory courses and programs, and recommend minimum curriculum requirements for in-service and advanced courses and programs, in schools operated by or for this state or any political subdivision thereof for the specific purpose of training law enforcement recruits ~~or~~, law enforcement officers, jail officer recruits or jail officers in areas of knowledge and ability necessary to the attainment of effective performance as an officer, and ranging from traditional subjects such as first aid, patrolling, statutory authority, techniques of arrest and firearms to subjects designed to provide a better understanding of ever-increasing complex problems in law enforcement such as human relations, civil rights ~~and~~, constitutional law and supervision, control and maintenance of a jail. The board shall appoint a ~~13 member~~ 13-member advisory curriculum committee consisting of 6 chiefs of police and 6 sheriffs to be appointed on a geographic basis of not more than one chief of police

and one sheriff from any one of the 8 state administrative districts together with the director of training of the Wisconsin state patrol. This committee will act in an advisory capacity in the establishment of the curriculum requirements.

SECTION 1576h. 165.85 (4) (a) (intro.) of the statutes is amended to read:

165.85 (4) (a) (intro.) The following law enforcement officers are not required to meet any requirement of pars. (b) 1 and (c) as a condition of tenure or continued employment; ~~nor does the.~~ The failure of any such law enforcement officer to fulfill ~~such~~ those requirements ~~does not~~ make that officer ineligible for any promotional examination for which he ~~or she~~ is otherwise eligible. ~~Such~~ Those law enforcement officers may, ~~however,~~ voluntarily participate in this program.

SECTION 1576i. 165.85 (4) (an) of the statutes is created to read:

165.85 (4) (an) Except as provided in par. (ap), jail officers are required to meet the requirements of pars. (b) 2 and (c) as a condition of tenure or continued employment regardless of the date of their appointment.

SECTION 1576j. 165.85 (4) (ap) of the statutes is created to read:

165.85 (4) (ap) Jail officers serving under permanent appointment prior to the effective date of this paragraph (1983), are not required to meet any requirement of pars. (b) 2 and (c) as a condition of tenure or continued employment. The failure of any such jail officer to fulfill those requirements does not make that officer ineligible for any promotional examination for which he or she is otherwise eligible. Those jail officers may voluntarily participate in this program.

SECTION 1577c. 165.85 (4) (b) of the statutes is renumbered 165.85 (4) (b) 1 and amended to read:

165.85 (4) (b) 1. No person may be appointed as a law enforcement officer, except on a temporary or probationary basis, unless the person has satisfactorily completed a preparatory program of law enforcement training approved by the board and has been certified by the board as being qualified to be a law enforcement officer. The program shall include at least 240 hours of training. The specific curriculum of the 240-hour preparatory program shall be promulgated by the board as a rule under ch. 227 board shall promulgate a rule under ch. 227 providing a specific curriculum for a conventional 240-hour preparatory program and a competency-based variation of the program which may not exceed 320 hours. The rule shall ensure that there is an adequate amount of training to enable the person to deal effectively with domestic abuse incidents. The period of temporary or probationary employment established at the time of initial employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. The total period during which a person may serve as a law enforcement officer on a temporary or probationary basis without completing a preparatory program of law enforcement training approved by the board shall not exceed 2 years, except that the board shall permit part-time law enforcement officers to serve on a temporary or probationary basis without completing a program of law enforcement training approved by the board to a period not exceeding 6 years. For purposes of this section, a part-time law enforcement officer is a law enforcement officer who routinely works not more than one-half the normal annual work hours of a full-time employe of the employing agency or unit of government. Law enforcement training programs including municipal, county and state programs meeting standards of the board shall be acceptable as meeting these training requirements.

SECTION 1577g. 165.85 (4) (b) 2 of the statutes is created to read:

165.85 (4) (b) 2. No person may be appointed as a jail officer, except on a temporary or probationary basis, unless the person has satisfactorily completed a preparatory program of jail officer training approved by the board and has been certified by the board as being qualified to be a jail officer. The program shall include at least 80 hours of train-

ing. The period of temporary or probationary employment established at the time of initial employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. Jail officer training programs including municipal, county and state programs meeting standards of the board shall be acceptable as meeting these training requirements.

SECTION 1577i. 165.85 (4) (c) of the statutes is amended to read:

165.85 (4) (c) In addition to the requirements of par. (b), the board may, by rule, fix such other minimum qualifications for the employment of law enforcement or jail officers as relate to the competence and reliability of persons to assume and discharge the responsibilities of law enforcement or jail officers, and the board shall prescribe the means for presenting evidence of fulfillment of these requirements.

SECTION 1577k. 165.85 (4) (e) of the statutes is amended to read:

165.85 (4) (e) ~~Nothing in this section shall~~ This section does not preclude any law enforcement agency or sheriff from setting recruit training and employment standards which are higher than the minimum standards set by the board.

SECTION 1577p. 165.85 (5) (a) of the statutes is amended to read:

165.85 (5) (a) The board may authorize and approve law enforcement or jail officer training programs conducted by an agency of a political subdivision or an agency of the state when their programs meet the standards required by the board. No authority granted ~~herein shall extend in this paragraph extends~~ to the board selecting a site for a state police or jail officer academy and expending funds thereon without further legislation.

SECTION 1578. 165.85 (5) (b) of the statutes is amended to read:

165.85 (5) (b) The board shall authorize, ~~on a uniform percentage basis,~~ the reimbursement to each political subdivision of the salary and of the allowable tuition, living and travel expenses incurred by officers who satisfactorily complete training at schools approved by the board. Reimbursement of these expenses shall be 100% for the first 240 hours of conventional or competency-based law enforcement recruit training, and 60% for additional conventional law enforcement recruit training up to 320 hours or 100% for additional competency-based law enforcement recruit training up to 320 hours, ~~of the salary and of the allowable tuition, living and travel expenses incurred by the officers in attendance at schools approved by the board and 100% for the first 80 hours of conventional or competency-based jail officer training.~~ After June 30, 1985, if the claims under this paragraph exceed the moneys available for reimbursement, the department shall prorate the reimbursement of salary expenses under this paragraph. Funds may also be distributed for attendance at other training programs and courses or for training services on a priority basis to be decided by the department of justice.

SECTION 1579. 165.85 (6) of the statutes is amended to read:

165.85 (6) FINANCES. The board may accept for any of its purposes and functions under this section any and all donations, both real and personal, and grants of money from any governmental unit or public agency, or from any institution or person, and may receive and utilize the same. Any arrangements pursuant to this subsection shall be detailed in ~~the annual~~ any report of the board submitted under s. 15.07 (6), which shall include the identity of the donor, the nature of the transaction, and the conditions, if any.

SECTION 1580. 165.87 (1) and (2) (a) of the statutes are amended to read:

165.87 (1) FUND. ~~Five-sixths~~ On or after the effective date of this subsection (1983):

(a) Eleven-fifteenths of all moneys collected ~~on or after July 1, 1980,~~ from penalty assessments under this section shall be deposited in s. 20.455 (2) (i); and utilized in accordance with s. 165.85 (5). The moneys deposited in s. 20.455 (2) (i) constitute the law enforcement training fund. ~~Moneys transferred from s. 20.455 (2) (i) to~~

(b) Two-fifteenths of all moneys collected from penalty assessments under this section shall be deposited in s. 20.435 (3) (jp) shall be and utilized in accordance with s. 46.057.

(c) Of the balance of the moneys collected from penalty assessments under this section on or after July 1, 1980, 62.2% shall be deposited under s. 20.255 (1) (gm) (2) (g) and the remainder shall be deposited under s. 20.255 (1) (g) (hr).

(2) (a) On or after ~~July 1, 1980~~ the effective date of this paragraph (1983), whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for state laws or ~~such municipal or county~~ ordinances involving nonmoving traffic violations, there shall be imposed in addition a penalty assessment in an amount of ~~12%~~ 15% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

SECTION 1580r. 165.91 of the statutes is created to read:

**165.91 Cooperative county-tribal law enforcement programs.** (1) Except as provided in sub. (4), any county which contains a tax-exempt Indian reservation within its boundaries may enter into an agreement, in accordance with s. 59.07 (142), with an Indian tribe located in the county to establish a cooperative county-tribal law enforcement program. The purposes of providing funding to cooperative county-tribal law enforcement programs under this section are to support cooperative efforts of counties and tribes to improve the quality of law enforcement services which counties are obligated to perform on Indian reservations and to provide models for other counties and tribes in the state which are seeking to improve the provision of law enforcement services on Indian reservations.

(2) To receive aid under this section, a county and tribe shall develop and submit a joint program plan to the department of justice for approval. Upon request, the department shall provide technical assistance to counties and tribes in formulating a program plan. The plan shall identify all of the following:

(a) The background of the cooperative county-tribal law enforcement program for which funding is sought.

(b) The program's need for funding under this section.

(c) The governmental unit which shall administer aid received, the method by which aid shall be disbursed and the source of any matching funds provided.

(d) The types of law enforcement services to be performed on the reservation and the persons who shall perform those services.

(e) The method by which county and tribal input into program planning and implementation shall be assured.

(f) The program policies regarding deputization, training and insurance of law enforcement officers.

(g) The recordkeeping procedures and types of data to be collected by the program.

(h) Any other information required by the department or deemed relevant by the county and tribe submitting the plan.

(3) Upon approval of the plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) (e) in an amount not to exceed \$20,000 per fiscal year for a period not to exceed 3 consecutive fiscal years. The department shall distribute moneys to an approved program in a fiscal year only if \$5,000 of nonstate moneys are expended in that fiscal year for the program. Annually, on or before January 15, the department shall report to the legislature and the governor on the performance of cooperative county-tribal law enforcement programs receiving aid under this section and on the applicability and value of those programs for other counties and tribes.

(4) A county and tribe are eligible to receive aid under this section only if they had a county-tribal law enforcement program in effect on January 1, 1983, which included provisions for deputization, training, insurance and oversight of law enforcement officers.

(5) This section does not apply after July 1, 1986.

SECTION 1581. 166.03 (2) (b) 6 of the statutes is repealed.

SECTION 1582. 180.87 (1) (jm) and (pm) of the statutes are created to read:

180.87 (1) (jm) Filing an annual report of a foreign corporation, \$3 in addition to the fee under par. (j).

(pm) Filing an annual report of a domestic corporation, \$3 in addition to the fee under par. (p).

SECTION 1583. 180.87 (1) (jm) and (pm) of the statutes, as created by 1983 Wisconsin Act .... (this act), are repealed.

SECTION 1584. 181.265 of the statutes is created to read:

**181.265 Report of names and addresses of officers or directors.** Whenever initial officers are selected, or changes are made in the principal officers or directors of a corporation, the corporation may file with the secretary of state a report setting forth the names and addresses of all the principal officers or directors, or both if there have been changes in both.

SECTION 1585. 181.68 (1) (b) to (e) of the statutes are amended to read:

181.68 (1) (b) Filing articles of amendment and issuing a certificate of amendment, ~~\$10~~ \$25;

(c) Filing articles of merger or consolidation and issuing a certificate of merger or consolidation, ~~\$10~~ \$30;

(d) Filing articles of dissolution, ~~\$5~~ \$10;

(e) Filing statement of change of registered agent, address of registered agent, or a statement of resignation of registered agent, ~~\$1~~ \$10;

SECTION 1586. 181.68 (1) (j) of the statutes is created to read:

181.68 (1) (j) Filing a report of names and addresses of officers or directors, \$3.

SECTION 1587. 185.83 (1) (em) of the statutes is created to read:

185.83 (1) (em) Filing an annual report of a cooperative, \$3 in addition to the fee under par. (e).

SECTION 1588. 185.83 (1) (em) of the statutes, as created by 1983 Wisconsin Act .... (this act), is repealed.

~~SECTION 1589m. 185.981 (1) to (4) of the statutes are amended to read:~~

~~185.981 (1) Cooperative associations may be organized under this chapter without capital stock, exclusively to establish and operate in the state or in any county or counties therein a nonprofit plan or plans for sickness care, including hospital care, for their members and their dependents through contracts with physicians, medical societies, chiropractors, optometrists, dentists, dental societies, hospitals and others.~~

~~(2) Such associations shall operate only on a cooperative nonprofit basis and for the purpose of establishing, maintaining and operating a voluntary nonprofit medical health, dental or vision care plan or plans or for constructing, operating and maintaining nonprofit hospitals or other facilities whereby sickness care, including hospital, dental or vision care, is provided at the expense of such association, its members or both, to such persons or groups of persons as shall become subscribers to such plan, under contracts which will entitle each such subscriber to definite medical, surgical, chiropractic, vision, dental or hospital care, appliances and supplies, by physicians and surgeons licensed and~~

**Vetoed  
in Part**

registered under ch. 448, optometrists licensed under ch. 449, ~~chiropractors licensed under ch. 446~~ and dentists licensed under ch. 447 in their offices, in hospitals, in other facilities and in the home.

(3) No cooperative association organized for the purposes provided in ss. 185.981 to 185.983 shall be prevented from contracting with any hospital in this state for the rendition of such hospital care as is included within such a plan because such hospital participates in any other such plan, or in a plan organized and operated under ss. 148.03 and 613.26. No hospital may discriminate against any physician and surgeon, ~~chiropractor~~ or dentist with respect to the use of such hospital's facilities by reason of his or her participation in a sickness care plan of a cooperative.

(4) No contract by or on behalf of any such cooperative association shall provide for the payment of any cash, indemnity or other material benefit by that association to the subscriber or the subscriber's estate on account of death, illness or injury, nor be in any way related to the payment of any such benefit by any other agency, but any such association may stipulate in its plan that it will pay any nonparticipating physician and surgeon, optometrist, ~~chiropractor~~, dentist or hospital outside of its normal territory for sickness or hospital care rendered any covered member or a member's covered dependent who is in need of the benefits of such plan when he or she is outside of the territory of such association in which the benefits of such plan are normally available. Any such plan may prescribe monetary limitations with respect to such extra territorial benefits.

SECTION 1588n. 185.981 (4m) of the statutes is created to read:

185.981 (4m) (a) 1. Except as provided in par. (b), any subscriber to a health care plan operated by a cooperative association is entitled to receive through the plan any diagnostic or treatment service or procedure by a licensed chiropractor within the scope of the chiropractor's professional license, if the plan would cover the same or a similar service or procedure when performed by a licensed physician or osteopath, even though different nomenclature is used to describe the service or procedure and its effects on the patient. At the subscriber's request, the subscriber's primary provider shall refer the subscriber to a licensed chiropractor who has agreed to participate in the plan and abide by its terms.

2. If no licensed chiropractor has agreed to participate in the plan and abide by its terms, the association shall contract with a licensed chiropractor for treatment of the subscriber's particular condition or complaint. Contracts under this subdivision shall provide for payment of the usual and customary fees for chiropractic services in the area serviced.

3. This paragraph does not require the association to pay benefits or reimburse a subscriber for chiropractic care by a chiropractor who has neither agreed to participate in the plan nor contracted with the association to provide chiropractic care to the subscriber.

(b) This subsection does not apply to a cooperative association providing exclusively surgical, hospital, vision or dental care, appliances and supplies.

SECTION 1588o. 185.982 (title) and (1) of the statutes are amended to read:

**185.982 (title) Manner of practicing medicine, chiropractic and dentistry; payment, promotional expense.** (1) No sickness care plan or contract issued thereunder by such cooperative association shall interfere with the manner or mode of the practice of medicine, optometry, ~~chiropractic~~ or dentistry, the relationship of physician, ~~chiropractor~~, optometrist or dentist and patient, nor the responsibility of physician, ~~chiropractor~~, optometrist or dentist to patient. A plan may require persons covered to utilize health care providers designated by the cooperative association. The cooperative association may provide health care services directly through providers who are employees of the cooperative association or through agreements with individual providers or groups of providers organized on a group practice or individual practice basis. In making such

agreements, no plan may refuse to provide coverage for vision care services or procedures provided by an optometrist licensed under ch. 449 within the scope of the practice of optometry, as defined in s. 449.01 (1), if the plan provides coverage for the same services or procedures when provided by another health care provider.

SECTION 1588c. 185.982 (2) of the statutes is amended to read:

185.982 (2) Any cooperative association operating a voluntary sickness care plan under the provisions of this chapter may pay physicians and surgeons, optometrists, chiropractors or dentists on a salary, per person or fee-for-service basis to provide sickness care to members of such association. Every association shall contract only with its own members for the benefits of any plan which it operates, but any association which operates a hospital may make the facilities thereof available to nonmembers and to non-participating physicians, optometrists or dentists.

SECTION 1589. 189.02 (8) of the statutes is created to read:

189.02 (8) The commissioner of transportation may appoint a deputy commissioner of transportation in the unclassified service. The deputy commissioner shall possess all powers and perform the duties of the commissioner during a vacancy of the commissioner's position or during the absence or inability of the commissioner.

SECTION 1590. 194.17 (1) of the statutes is amended to read:

194.17 (1) Every common motor carrier of property or of passengers, every contract motor carrier and every private motor carrier to which this chapter applies and every person who operates without obtaining a certificate under s. 194.23 or license under s. 194.34 ~~or a permit, except a license for transporting exempt commodities~~ or without meeting the insurance requirements under s. 194.41 ~~or who violates any other provision of this chapter~~, shall forfeit not less than \$500 nor more than \$5,000. Any person who violates any other provisions of this chapter including the requirement to obtain a license to transport exempt commodities or the requirement to obtain a permit or who violates orders or rules issued by the office of the commissioner or by the secretary shall forfeit not less than \$50 nor more than \$100. Each violation constitutes a separate offense. In construing and enforcing the provisions of this section, the act, omission or failure of any officer, agent or servant or other person acting for or employed by any common motor carrier of property or of passengers, any contract motor carrier or any private motor carrier, done within the scope of employment is deemed to be the act, omission, or failure of the common motor carrier of property or of passengers, contract motor carrier or private motor carrier.

SECTION 1590m. 196.01 (1) of the statutes is amended to read:

196.01 (1) "Public utility" means every corporation, company, individual, association, their lessees, trustees or receivers appointed by any court, and every sanitary district, town, village or city that may own, operate, manage or control any toll bridge or any plant or equipment or any part of a plant or equipment, within the state, for the conveyance of telephone messages, for the receiving, transmitting or delivery of messages by telegraph, or for the production, transmission, delivery or furnishing of heat, light, water or power either directly or indirectly to or for the public. No cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power or water to its members only shall be deemed a public utility under this definition. "Public utility" includes any person requiring the use of a facility for the recycling of solid waste or for the recovery of resources from solid waste if a municipal waste flow control ordinance is adopted under s. 144.794 (10) with respect to that facility. "Public utility" includes any person engaged in the transmission or delivery of natural gas for compensation within this state by means of pipes or mains. Any privately owned public utility which furnishes sewer services or sewer facilities may elect to have the public service commission establish suitable and proper rates for its services.

SECTION 1591. 196.02 (11) of the statutes is repealed.

Vetoed  
in Part

**Vetoed  
in Part**

~~SECTION 1591m. 196.03 (7) of the statutes is created to read:~~

~~196.03 (7). The commission may not authorize a public utility to include in rates to consumers, directly or indirectly, any federal and state deferred income taxes resulting from timing differences between the amounts recorded for tax purposes and the amounts recorded for book purposes in the year in which rates are calculated, except for the following:~~

~~(a) Deferred income taxes expressly required as a condition of receiving a tax benefit under sections 46, 167 and 168 of the internal revenue code, as amended to December 31, 1982.~~

~~(b) Deferred income taxes related to nuclear plant decommissioning expense.~~

~~(c) Deferred income taxes not expressly required by sections 46, 167 and 168 of the internal revenue code not related to nuclear plant decommissioning expense which were accumulated by the utility prior to the effective date of this subsection (1983) and which shall be restored to the consumers by debiting the accumulated deferred income tax account and crediting the cost of service to the utility after the amount recorded for book purposes exceeds the amount recorded for tax purposes for the original specific timing difference until the amount in such account is reduced to zero.~~

SECTION 1591r. 196.20 (4) of the statutes is created to read:

196.20 (4) (a) In this subsection:

1. "Automatic adjustment clause" means a provision included in the rate schedule of an electric public utility after investigation, notice and hearing which permits the electric public utility to recover in rates, without prior hearing and order of the commission, an increase in costs incurred by the electric public utility.

2. "Electric public utility" means a public utility whose purpose is the generation, transmission, delivery or furnishing of electric power but does not include a public utility owned and operated wholly by a municipality or cooperative and does not include any public utility which purchases, under federal or state approved wholesale rates, more than 50% of its electric power requirements from other than an affiliated interest as defined under s. 196.52.

(b) An electric public utility may not recover in rates any increase in cost, including fuel, by means of the operation of an automatic adjustment clause.

(c) If an increase in fuel costs is of an extraordinary or emergency nature, the commission, after a hearing limited in scope to the question of the increase in fuel costs, may grant a rate increase to an electric public utility.

**Vetoed  
in Part** (d) The commission shall promulgate a rule which provides for a periodic review, including a hearing, of the costs of fuel and purchased power incurred by electric utilities and adjustments in rates which recognize the change in such costs.

SECTION 1592. 196.31 of the statutes is created to read:

**196.31 Intervenor financing.** (1) In any proceeding before the commission, the commission may compensate any participant in the proceeding who is not a public utility, for some or all of the reasonable costs of participation in the proceeding if the commission finds that:

(a) The participation is necessary to provide for the record an adequate presentation of a significant position in which the participant has a substantial interest, and that an adequate presentation would not be possible without a grant of compensation; or

(b) The participation has provided a significant contribution to the record and has caused a significant financial hardship to the participant.

(2) The cost of compensation granted under this section shall be assessed under s. 196.85 (1), except that, if the commission finds that the participation for which compensation is granted relates more to a general issue of utility regulation rather than to an

issue arising from a single proceeding, the cost of the compensation may be assessed under s. 196.85 (2).

(3) The commission shall adopt rules to implement this section.

SECTION 1593. 196.374 of the statutes is created to read:

**196.374 Energy conservation programs.** (1) In this section "utility" means a class A gas or electric utility, as defined by the commission. Every utility shall spend annually at least 0.5% of its total annual operating revenues on programs designed to promote and accomplish energy conservation. The commission may require a utility to spend annually for the purpose of promoting and accomplishing energy conservation, an amount which is more or less than 0.5% of its annual operating revenues if, after notice and hearing, the commission finds that the expenditure of such amount is in the public interest.

(2) The commission may prescribe all or part of any program to be funded under sub. (1). The commission may require that a utility establish a program funded under sub. (1) which is applicable only to a group of consumers specified by the commission because the group has special energy conservation needs. Such a group may include, but is not limited to, low-income utility consumers, under guidelines established by the commission.

(3) The commission shall authorize every utility to recover from the utility's ratepayers any prudent energy conservation expenditure authorized by the commission. The commission may prescribe the accounting treatment of such an expenditure, including, but not limited to, escrow accounting.

SECTION 1593g. 196.595 of the statutes is created to read:

**196.595 Utility advertising practices.** (1) In this section:

(a) "Advertising" means:

1. Printed and published material and descriptive literature of a utility used in newspapers, magazines, radio and TV scripts, billboards and similar displays.

1m. Any material which provides information favorable to a public utility on any issue about which the utility is attempting to influence legislative or administrative action by direct oral or written communication with any elective state official, agency official or legislative official if the practice is regulated under subch. III of ch. 13.

2. Descriptive literature and sales aids of all kinds issued by a utility for presentation to utility consumers and other members of the public, including but not limited to any material enclosed with or added to a utility billing statement, circulars, leaflets, booklets, depictions, illustrations and form letters.

3. Prepared sales talks to the public and public informational facilities.

4. Other materials and procedures enumerated by rule of the commission which promote or provide information to the public about a public utility.

(b) "Expenditure" means any cost of advertising directly incurred by a utility and any cost of advertising incurred by contribution to parent or affiliated companies or to trade associations.

(c) "Public utility" in this section means any public utility, as defined in s. 196.01, engaged in the transmission, delivery or furnishing of natural gas by means of pipes or mains, telephone messages, heat, light or power. "Public utility" does not include any cooperative association organized under ch. 185.

(2) A public utility may not charge its ratepayers for any expenditure for advertising unless the advertising:

(a) Contains a verbal or written notice that the expenditure will be charged to the utility's ratepayers. The written notice shall be located in a conspicuous place in the advertising and shall appear in conspicuous and legible type in contrast by typography, layout or color with other printed matter in the advertising; and

(b) Produces a demonstrated, direct and substantial benefit for ratepayers. Advertising which produces a direct and substantial benefit for ratepayers is limited to advertising which:

1. Demonstrates energy conservation methods;
2. Conveys safety information on the use of energy;
3. Demonstrates methods of reducing ratepayer costs;
4. Otherwise directly and substantially benefits ratepayers; or
5. Is required by law.

(3) The commission shall make rules to carry out the purposes of and to enforce this section.

SECTION 1593m. 199.10 (2) (b) of the statutes is amended to read:

199.10 (2) (b) No public utility may be required to include a statement or enclosure under sub. (1) in its periodic billing more than ~~a total of 4 times~~ 2 times per year.

SECTION 1593r. 199.10 (2) (d) of the statutes is repealed.

SECTION 1594. 220.06 (1) of the statutes is amended to read:

220.06 (1) No commissioner of banking, deputy, assistant deputy or examiner may examine a bank in which such person is interested as a stockholder, officer, employe or otherwise. No commissioner, deputy, assistant deputy or examiner may examine a bank located in the same village, city or county with any bank in which such person is so interested. The commissioner of banking, deputy, assistant deputies and every clerk in the office of the commissioner, and each member and employe of the banking review board, shall be bound by oath to keep secret all facts and information obtained in the course of examinations or from reports not under s. 221.15 filed by a bank with the office of the commissioner of banking, except so far as the public duty of the officer requires reporting upon or taking special action regarding the affairs of any bank, and except when called as a witness in any criminal proceeding or trial in a court of justice. Any such person referred to in this subsection may under rules and regulations prescribed by the commissioner exchange information as to names of borrowers, lines of credit and other matters affecting a bank with a national bank examiner, a clearing house examiner or an examiner for an insurer authorized to do business in this state to insure or guarantee depositors or deposits in banks or trust companies and having such insurance in force. The commissioner may furnish to the federal deposit insurance corporation or to any official or examiner thereof a copy of any examination made of any such bank or of any report made by such bank and may give access to and disclose to the corporation or to any official or examiner thereof any information possessed by the commissioner with reference to the conditions or affairs of any such insured bank.

SECTION 1595. 220.06 (3) of the statutes is created to read:

220.06 (3) (a) Examination reports possessed by a bank are confidential, remain the property of the office of the commissioner of banking and are returnable immediately on request of the office.

(b) Bank officers and employes may not redisclose information in the examination reports. A person violating this paragraph may be fined not less than \$100 nor more than \$1,000 or imprisoned not more than 6 months or both.

SECTION 1596. 227.01 (11) (i) of the statutes is created to read:

227.01 (11) (i) Involves ~~changes to~~ the program for administering aid to families with dependent children under s. 49.19 (11) (a) 4. **Vetoed in Part**

SECTION 1597. 227.01 (11) (i) of the statutes, as created by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 1597m. 227.01 (11) (u) of the statutes is created to read:

227.01 (11) (u) Relates to computing or publishing the number of nursing home beds to be added in each health planning area under s. 150.33 (1).

SECTION 1598. 227.012 (intro.) of the statutes is renumbered 227.012 (1) (intro.) and amended to read:

227.012 (1) (intro.) In this section "hearing examiner" means any person designated under this section to preside over a hearing. The administrator of the division of ~~natural resources~~ hearings and appeals in the department of administration shall:

SECTION 1599. 227.012 (1) to (4) of the statutes are renumbered 227.012 (1) (a) to (d).

SECTION 1600. 227.012 (5) of the statutes is renumbered 227.012 (2) and amended to read:

227.012 (2) ~~Set~~ The administrator of the division of hearings and appeals in the department of administration may set the fees to be charged ~~to the department of natural resources~~ for any services rendered to the department of natural resources by a hearing examiner under this section. The fee shall cover the total cost of the services less any costs covered by the appropriation under s. 20.505 (4) (f).

SECTION 1602. 227.15 of the statutes is amended to read:

**227.15 Judicial review; decisions reviewable.** Administrative decisions which adversely affect the substantial interests of any person, whether by action or inaction, whether affirmative or negative in form, are subject to review as provided in this chapter, except for the decisions of the department of revenue other than decisions relating to alcohol beverage permits issued under ch. 125 and decisions of the department of employe trust funds, the commissioner of banking, the commissioner of credit unions, and the commissioner of savings and loan, ~~and the state board of vocational, technical and adult education acting under s. 38.29,~~ and except as otherwise provided by law.

SECTION 1603m. 227.17 of the statutes is amended to read:

**227.17 Stay of proceedings.** The institution of the proceeding for review shall not stay enforcement of the agency decision; ~~but the~~. The reviewing court may order a stay upon such terms as it deems proper, except as otherwise provided in ss. 46.0435 (3), 196.43 and 551.62.

SECTION 1604. 230.03 (12) (a) of the statutes is amended to read:

230.03 (12) (a) Has resided within the state for not less than 10 days immediately prior to filing an application under s. 230.16 (1); or

SECTION 1604am. 230.04 (1m) of the statutes is amended to read:

230.04 (1m) The secretary may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the secretary finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the secretary determines that any agency is not performing such delegated function within prescribed standards, the secretary shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the secretary may order transferred to the department from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation

or if the department reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 by an appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The secretary shall be a party in such an appeal.

SECTION 1604b. 230.04 (3) of the statutes is amended to read:

230.04 (3) The secretary may issue enforceable orders on all matters relating to the administration, enforcement and effect of this chapter and the rules prescribed thereunder except on matters relating to ~~the those~~ provisions of subch. II, the for which responsibility ~~for which~~ is specifically charged to the administrator.

SECTION 1604c. 230.04 (5) of the statutes is amended to read:

230.04 (5) The secretary shall promulgate rules on all matters relating to the administration of the department and the performance of the duties assigned to the secretary, except on matters relating to ~~the those~~ provisions of subch. II, the for which responsibility ~~for which~~ is specifically charged to the administrator.

SECTION 1604d. 230.047 (8) of the statutes is amended to read:

230.047 (8) ADMINISTRATION. The secretary shall promulgate rules for the operation and implementation of this section. The rules shall prescribe the duration, terms and conditions of such interchange. ~~Any interchange agreements negotiated under this section shall be subject to approval of the administrator of the division of personnel.~~

SECTION 1604e. 230.05 (2) (b) of the statutes is amended to read:

230.05 (2) (b) The administrator ~~may not delegate~~ is prohibited from delegating any of his or her final responsibility for the monitoring and oversight of the ~~civil service system merit recruitment and selection program~~ under this subchapter.

SECTION 1604f. 230.05 (3) of the statutes is amended to read:

230.05 (3) The administrator may utilize the services of technical or specialized personnel to assist in implementing and maintaining a sound ~~personnel management merit recruitment and selection program~~. These services may be obtained from persons within or without state service.

SECTION 1604g. 230.05 (4) of the statutes is amended to read:

230.05 (4) The administrator may issue enforceable orders on all matters relating to the administration, enforcement and effect of the provisions of this subchapter ~~the responsibility~~ for which responsibility is specifically charged to the administrator and the rules prescribed thereunder. Any action brought against the appointing authority for failure to comply with the order of the administrator shall be brought and served within 60 days after the date on which the administrator's order was issued. Such orders may be appealed to the commission under s. 230.44 (1) (a).

SECTION 1604h. 230.05 (5) of the statutes is amended to read:

230.05 (5) The administrator shall promulgate rules for the effective operation of the provisions of this subchapter, ~~the responsibility~~ for which responsibility is specifically charged to the administrator. Such rules, except for emergency rules, shall be subject to approval by the board. Notice of the contents of such rules and any modifications thereof shall be given to appointing authorities affected thereby, and such rules and modifications shall also be printed for public distribution.

SECTION 1604i. 230.05 (6) of the statutes is amended to read:

230.05 (6) The administrator may seek the prior advice and counsel of agency heads in the formulation of policies and procedures concerning the duties specified for the administrator under this subchapter, ~~including, but not limited to, recruitment, examination, selection, classification and rule changes.~~

SECTION 1605. 230.05 (8) of the statutes is created to read:

230.05 (8) The administrator may provide personnel testing services to nonstate governmental units and may charge for those services.

SECTION 1605g. 230.06 (1) (d) of the statutes is amended to read:

230.06 (1) (d) Report promptly to the secretary or the administrator ~~such~~ any information as the secretary or the administrator requires in connection with any delegated personnel function and with each appointment, promotion, demotion, suspension or separation from the service or other change in employe status.

SECTION 1605m. 230.07 (4) of the statutes is amended to read:

230.07 (4) The board may make investigations and hold hearings on its own motion or at the request of interested persons and issue recommendations concerning all matters touching the enforcement and effect of this subchapter and rules prescribed thereunder. If the results of an investigation disclose that the secretary, the administrator, an appointing authority or any other person acted illegally or to circumvent the intent and spirit of the law the board may issue an enforceable order to remand the action to the secretary, the administrator or the appointing authority for appropriate action within the law. Any action brought against the secretary, the administrator or an appointing authority for failure to comply with the order of the board shall be brought and served within 60 days after the date of the board's findings.

SECTION 1605o. 230.08 (2) (c) of the statutes is amended to read:

230.08 (2) (c) The director, associate director, assistant ~~director~~ directors, librarian of the historical society library, state archivist and ~~director of research~~ state historian of the historical society; and, with the approval of the board of curators and the administrator, such number of specialists as are required by the society for specific research, writing, collecting or editing projects which for a limited period of time not to exceed 2 years, renewable at the discretion of the board of curators and the administrator for an additional 2-year period, require persons with particular training or experience in a specialized phase or field of history, historical research, writing, collecting or editing, and any persons whose entire salary is paid from funds reappropriated to the society by s. 20.245 (1) (g) where competitive examination is impractical.

SECTION 1605q. 230.08 (2) (e) (intro.) of the statutes is amended to read:

230.08 (2) (e) (intro.) The number of division administrator positions as specified in this paragraph for any board ~~or~~ department, commission or office as defined in sub. (4) (a) and s. 15.01 (1), with specific functional assignments to be determined by the appointing authority, except as otherwise provided in sub. (4) or as otherwise provided by law:

SECTION 1605s. 230.08 (2) (e) 2 of the statutes is amended to read:

230.08 (2) (e) 2. Agriculture, trade and consumer protection — ~~8~~ 7.

SECTION 1606. 230.08 (2) (e) 3 of the statutes is amended to read:

230.08 (2) (e) 3. Development — ~~4~~ 5.

SECTION 1606m. 230.08 (2) (e) 4 of the statutes is amended to read:

230.08 (2) (e) 4. Employment relations — ~~3~~ 4.

SECTION 1606o. 230.08 (2) (e) 4a of the statutes is created to read:

230.08 (2) (e) 4a. Governor's employment and training office — 2.

SECTION 1606r. 230.08 (2) (e) 5m of the statutes is created to read:

230.08 (2) (e) 5m. Historical society — 1.

SECTION 1606ra. 230.08 (2) (e) 9m of the statutes is created to read:

230.08 (2) (e) 9m. Public service commission — 5.

SECTION 1607. 230.08 (2) (L) 8 of the statutes is created to read:

230.08 (2) (L) 8. Office of commissioner of transportation.

SECTION 1608. 230.08 (2) (Lp) of the statutes is created to read:

230.08 (2) (Lp) One deputy and one executive assistant of the head of the governor's employment and training office.

SECTION 1608g. 230.08 (2) (mm) of the statutes is repealed.

SECTION 1680k. 230.08 (2) (mp) of the statutes is created to read:

230.08 (2) (mp) One staff director of the hospital rate-setting commission, created under s. 15.105 (15).

SECTION 1608km. 230.08 (2) (o) of the statutes is repealed and recreated to read:

230.08 (2) (o) The administrator of the ethics board and judicial commission.

SECTION 1608m. 230.08 (2) (s) of the statutes is created to read:

230.08 (2) (s) The director of prison industries in the department of health and social services.

SECTION 1608o. 230.08 (2) (wm) of the statutes is created to read:

230.08 (2) (wm) The executive secretary of the elections board.

SECTION 1608r. 230.08 (2) (wr) of the statutes is created to read:

230.08 (2) (wr) The deputy director of the council on criminal justice.

SECTION 1609. 230.08 (2) (y) of the statutes is created to read:

230.08 (2) (y) The director and staff assistant of the federal-state relations office of the department of administration.

SECTION 1609ag. 230.08 (4) (a) of the statutes is amended to read:

230.08 (4) (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed in a department ~~or~~ board, commission or office outside the classified service. In this paragraph, "department" has the meaning given under s. 15.01 (1) ~~and~~, "board" means the public defender board and the board of vocational, technical and adult education, "commission" means the public service commission and "office" means the governor's employment and training office. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

SECTION 1609ah. 230.08 (4) (b) 4 of the statutes is created to read:

230.08 (4) (b) 4. Functions of the public service commission relating to scheduling and conducting public hearings.

SECTION 1609am. 230.08 (4) (c) of the statutes is amended to read:

230.08 (4) (c) Any proposal of a board ~~or~~ department, commission or office, as defined in par. (a) and s. 15.01 (1), for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the legislature, shall first be submitted by the board ~~or~~ department, commission or office for a separate review by the department of administration and by the ~~administrator secretary~~. The department of administration's review shall include information on the appropriateness of the proposed change with regard to a board's ~~or~~ department's, commission's or office's current or proposed internal organizational structure under s. 15.02 (4). The ~~administrator's secretary's~~ review shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1-18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews shall be provided by the department of administration and by the ~~administrator secretary~~ to the joint committee on finance and the joint committee on employment relations at the same time that the board's ~~or~~ department's, commission's or office's proposal is presented to either committee.

SECTION 1609b. 230.09 (1) (intro.) of the statutes is amended to read:

230.09 (1) (intro.) The ~~administrator~~ secretary shall ascertain and record the duties, responsibilities and authorities of, and establish grade levels and classifications for, all positions in the classified service ~~subject to the approval of the board~~. He or she shall use job evaluation methods which in his or her judgment are appropriate to the class or occupational groups. Each classification so established shall include all positions which are comparable with respect to authority, responsibility and nature of work required. Each classification shall be established to include as many positions as are reasonable and practicable. In addition, each class shall:

SECTION 1609c. 230.09 (2) (am) of the statutes is amended to read:

230.09 (2) (am) The ~~administrator~~ secretary shall maintain and improve the classification plan to meet the needs of the service, using methods and techniques which may include personnel management surveys, individual position reviews, occupational group classification surveys, or other appropriate methods of position review. Such reviews may be initiated by the ~~administrator~~ secretary after taking into consideration the recommendations of the appointing authority, or at his or her own discretion. The ~~administrator~~ secretary shall establish, modify or abolish classifications as the needs of the service require, ~~and subject to the approval of the board~~.

SECTION 1609dm. 230.09 (2) (b) of the statutes is amended to read:

230.09 (2) (b) To accommodate and effectuate the continuing changes in the classification plan as a result of the classification survey program and otherwise, the ~~administrator with approval of the board~~ secretary shall, upon initial establishment of a classification, assign that class to the appropriate pay rate or range, and may, upon subsequent review, the ~~administrator with approval of the board~~ may reassign classes to different pay rates or ranges. The ~~administrator~~ secretary shall apply the principle of equal pay for work of equivalent skills and responsibilities when assigning a classification to a pay range. The ~~administrator~~ secretary shall give notice to appointing authorities ~~and the personnel board in order that they may to permit them to make recommendations prior to before final action being is taken on any such assignment or reassignment of classes.~~ ~~Any proposal by the secretary to reassign an existing class to a higher pay range or to create a new class which would result in existing positions being assigned to a higher pay range shall be submitted in writing to the joint committee on employment relations. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal within 14 working days after the date of the secretary's notification, the secretary may proceed with the proposed action. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the secretary's proposal, the secretary may not proceed with the proposed action until after the meeting is held and the committee approves or modifies the secretary's proposal. The governor may disapprove any modification of the secretary's proposal within 10 calendar days of that modification. A vote of 6 members of the joint committee on employment relations is required to set aside the governor's disapproval.~~

Vetoed  
in Part

SECTION 1609e. 230.09 (2) (f) of the statutes is amended to read:

230.09 (2) (f) If a position in the classified service is reclassified or reallocated, or if a position is allocated from the unclassified service to a classification in the classified service having a lower pay rate or pay range maximum than the incumbent's current basic pay rate, the pay rate of the incumbent shall be adjusted under the rules prescribed under this ~~subchapter~~ section.

SECTION 1610. 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the ~~administrator~~ secretary determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance ~~or as otherwise provided by law under s. 13.10~~, or as specified by the governor creating positions under s. 16.505 (1) (c) or (2), or is different than that of the previous incumbent, the secretary shall notify the administrator and the secretary of administration. The administrator shall withhold action on the selection and certification process ~~and notify the secretary of administration for filling the position.~~ The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance ~~or as otherwise provided by law acting under s. 13.10~~, or the intent of the governor creating positions under s. 16.505 (1) (c) or (2). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

SECTION 1611am. 230.12 (1) (a) of the statutes is amended to read:

230.12 (1) (a) *General provision.* The compensation plan is the listing of the dollar values of the pay rates and ranges and the within range pay steps of the separate pay schedules to which the classes and grade levels for positions in the classified service established under the classification plan are assigned. In addition, the compensation plan may, when applicable, include provisions for supplemental pay and pay adjustments, and other provisions required to implement the plan or amendments thereto. Provisions for administration of the compensation plan and salary transactions shall be provided in either the rules of the ~~administrator~~ secretary or the compensation plan. ~~Any proposal by the secretary to raise the minimum pay rate for more than one position in a class above the minimum pay rate established in the approved compensation plan shall be submitted in writing to the joint committee on employment relations. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal within 14 working days after the date of the secretary's notification, the secretary may proceed with the proposed action. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the secretary's proposal, the secretary may not proceed with the proposed action until after the meeting is held and the committee approves or modifies the secretary's proposal. The governor may disapprove any modification of the secretary's proposal within 10 calendar days of that modification. A vote of 6 members of the joint committee on employment relations is required to set aside the governor's disapproval.~~

Vetoed  
in Part

SECTION 1611m. 230.12 (1) (am) of the statutes is created to read:

230.12 (1) (am) *Length of service payments prohibited.* No approved compensation plan may include any provision providing for the payment to any state employe of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employe has been an employe of the state. The secretary may not propose any such compensation provision under sub. (3) (a) and the joint committee on employment relations may not consider any such provision.

SECTION 1612. 230.12 (3) (e) of the statutes is amended to read:

230.12 (3) (e) *University of Wisconsin system faculty and academic staff employes.* The secretary, after receiving recommendations from the board of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employe benefits for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employe benefit improvements. Para-

graph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) ~~to be appropriated under s. 20.865 (1) (ci) and (d)~~. The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments shall be available for discretionary use by the board of regents.

SECTION 1612am. 230.12 (4) (b) of the statutes is amended to read:

230.12 (4) (b) The ~~administrator~~ secretary may, without prior approval of the joint committee on employment relations, grant an across the board adjustment, or appropriate portion thereof, previously approved by the committee under this section to employes who did not receive the adjustment on the effective date of the plan. "Employes" as used in this paragraph means those employes who are removed from a collective bargaining unit represented by a certified representative as the result of an approved transaction after the effective date of the ~~administrator's~~ compensation plan but prior to the effective date of any general adjustments provided under the bargaining unit agreement. No such across the board increase may become effective prior to the effective date of the individual employe transaction. In like manner an appointing authority may grant within range pay adjustments to similarly affected employes, subject to sub. (5) and applicable funding limitations.

SECTION 1612b. 230.15 (1) of the statutes is amended to read:

230.15 (1) Appointments to, and promotions in the classified service, shall be made only according to merit and fitness, which shall be ascertained so far as practicable by competitive examination. When the state becomes responsible for a function previously administered by another governmental agency, or a quasi-public, or a private enterprise, or when positions in the unclassified service, excluding employes of the legislature, are determined to be more appropriately included in the classified service, the administrator shall determine appropriate eligibility, ~~pay, employe benefits~~ and status ~~identified in ss. under s. 230.28 and~~. The secretary shall determine appropriate pay, employe benefits and status under s. 230.35.

SECTION 1612c. 230.22 (2) of the statutes is amended to read:

230.22 (2) In connection with this program the ~~administrator~~ secretary may establish separate classifications and corresponding pay provisions to provide ~~state departments agencies~~ an entry professional program, through which they can compete on campuses and in the labor market for the best available applicants.

SECTION 1612d. 230.22 (3) of the statutes is amended to read:

230.22 (3) Examination ~~and~~, certification and probation under the program created under this section shall be consistent with other provisions of this subchapter.

SECTION 1612e. 230.22 (4) of the statutes is amended to read:

230.22 (4) The administrator may provide for cooperative programs leading to eligibility for permanent appointment in order to enable ~~state departments and~~ institutions of higher education and agencies to attract and train the highest caliber of undergraduate or graduate students for government employment.

SECTION 1612f. 230.24 (1) of the statutes is amended to read:

230.24 (1) The ~~administrator~~ secretary may by rule develop a career executive program that emphasizes excellence in administrative skills in order to provide agencies with a pool of highly qualified executive candidates, to provide outstanding administrative employes a broad opportunity for career advancement and to provide for the mobility of such employes among the agencies and units of state government for the most advantageous use of their managerial and administrative skills. To accomplish the purpose of this program, the administrator may provide policies and standards for recruitment, ex-

amination, probation, employment register control, certification, ~~classification, salary administration,~~ transfer, promotion and reemployment, and the secretary may provide policies and standards for classification, reemployment and salary administration, separate from procedures established for other employment. The ~~administrator~~ secretary shall determine the positions which may be filled from career executive employment registers.

SECTION 1612g. 230.25 (2) of the statutes is amended to read:

230.25 (2) Unless otherwise provided in this subchapter ~~and or the rules pursuant thereto of the administrator,~~ appointments shall be made by appointing authorities to all positions in the classified service from among those certified to them in accordance with sub. (1). Appointments shall be made within 60 days after the date of certification unless an exception is made by the administrator. If an appointing authority does not make an appointment within 60 days after certification he or she shall immediately report in writing to the administrator the reasons therefor. If the administrator determines that the failure to make an appointment is not justified under the merit system, the administrator shall issue an order directing that an appointment be made.

SECTION 1613. 230.26 (1m) of the statutes is renumbered 230.26 (1m) (a) and amended to read:

230.26 (1m) (a) ~~No~~ Except as provided in par. (b), an appointing authority ~~may appoint~~ is prohibited from appointing a person who is not a resident of this state to a limited term appointment.

SECTION 1614. 230.26 (1m) (b) of the statutes is created to read:

230.26 (1m) (b) The administrator may waive the prohibition under par. (a) if the appointed person's permanent work site is located outside this state.

SECTION 1615. 230.27 (1) of the statutes is amended to read:

230.27 (1) ~~In this section "project appointment" means the appointment of a person to a project position under sub. (2), and "project employment" means employment in a project. A "project position" means a position which is normally funded for 6 or more consecutive months and which requires employment for 600 hours or more per 26 consecutive biweekly pay periods for a planned undertaking which is not a regular function of the employing agency and which has an established probable date of termination. The duration of a No project appointment under this section position may not extend exist for a period of more than 4 years, commencing with appointment to the position.~~

SECTION 1616. 230.27 (1m) of the statutes is renumbered 230.27 (1m) (a) and amended to read:

230.27 (1m) (a) ~~No~~ Except as provided in par. (b), an appointing authority ~~may appoint~~ is prohibited from appointing a person who is not a resident of this state to a project position under this section.

SECTION 1617. 230.27 (1m) (b) of the statutes is created to read:

230.27 (1m) (b) The administrator may waive the prohibition under par. (a) if there is a critical need for employes in a specific classification or position or a critical shortage of residents of this state possessing the skills or qualifications required for a position.

SECTION 1617am. 230.27 (2) of the statutes is renumbered 230.27 (2m), and 230.27 (2m) (intro.) and (b), as renumbered, are amended to read:

230.27 (2m) (intro.) ~~The administrator may provide by rule for the selection and appointment of a person to a project position.~~ An employe in a project position on a project appointment basis, while in the position, shall earn and receive all rights and privileges specifically authorized by statute for nonrepresented classified employes, except tenure, transfer, restoration, reinstatement, promotion eligibility and layoff benefits. A project employe's vacation and holidays under s. 230.35 (4) (d) and sick leave

shall be on a prorated basis if the employe works less than full-time. Seniority, continuous service, benefits and rights earned while serving a project appointment shall be transferred to or from other project, permanent, seasonal, or sessional appointments in the following manner:

(b) Project appointees who previously held a permanent classified or unclassified civil service position prior to being appointed to a project position may transfer rights and benefits previously earned to the project appointment, except those rights and benefits specifically excluded under ~~sub. (2) this subsection~~, in a manner consistent with that applied to similar transactions in the permanent classified service. Such project employes who may subsequently be appointed to another project position or to a permanent classified position may transfer their rights and benefits to the new appointment in a manner consistent with that applied to similar transactions in the permanent classified service.

SECTION 1617b. 230.27 (2) of the statutes is created to read:

230.27 (2) The administrator may provide by rule for the selection and appointment of a person to a project position.

SECTION 1617d. 230.44 (1) (a) of the statutes is amended to read:

230.44 (1) (a) (title) *Decision made or delegated by administrator*. Appeal of a personnel decision of the administrator, including but not limited to a refusal to examine an applicant or certify an eligible under s. 230.17, orders by the administrator under s. 230.05 (4), actions and decisions of the administrator under s. 230.09 and decisions of the administrator concerning employing units under s. 230.30, shall be to the commission under this subchapter made by the administrator or by an appointing authority under authority delegated by the administrator under s. 230.05 (2).

SECTION 1617f. 230.44 (1) (b) of the statutes is repealed and recreated to read:

230.44 (1) (b) *Decision made or delegated by secretary*. Appeal of a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 made by the secretary or by an appointing authority under authority delegated by the secretary under s. 230.04 (1m).

SECTION 1617h. 230.45 (1) (h) of the statutes is amended to read:

230.45 (1) (h) Keep minutes of its own proceedings and other official actions. All such records shall, subject to reasonable rules, be open to public inspection. Records of the secretary or the administrator which are confidential shall be kept confidential by the commission.

SECTION 1617j. 230.45 (1) (i) of the statutes is amended to read:

230.45 (1) (i) Adopt rules necessary to carry out this section. Notice of the contents of such rules and amendments thereto shall be given promptly to the secretary, the administrator and appointing authorities affected thereby.

SECTION 1617jm. 230.46 of the statutes is amended to read:

**230.46 Duties of council on affirmative action.** The council on affirmative action in the department shall serve in a direct advisory capacity to the secretary and as part of that relationship shall evaluate the progress of affirmative action programs throughout the civil service system, seek compliance with state and federal regulations and recommend improvements in the state's affirmative action efforts as an employer. In carrying out its responsibilities, the council may recommend legislation, consult with agency personnel and other interested persons, conduct hearings and take other appropriate action to promote affirmative action. The council shall report at least once per year to the governor and the legislature.

SECTION 1617k. 231.01 (2) (a) 1 to 3 and (3) (a) of the statutes are amended to read:

231.01 (2) (a) 1. Any ~~nonprofit~~ institution, place, building or agency required to be approved or licensed under either s. 50.02 or subch. II of ch. 50, and also means any such facility exempted from such approval or licensure when the secretary of health and social services attests that the exempted facility meets the statutory definition of a facility subject to approval or licensure.

2. Any ~~nonprofit~~ health service institution, place, building or agency not listed in subd. 1 and not subject to approval or licensure under state law which the secretary attests is subject to certification by the U.S. department of health and human services under the social security act, or which the secretary attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency.

3. Any ~~nonprofit~~ institution, place, building or agency engaged solely in providing one or more supporting services to a health facility.

(3) (a) A ~~nonprofit~~ corporation, agency or association authorized by state law to provide or operate a health facility and which undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of obligations or of a mortgage or of advances as provided in this chapter.

SECTION 1617km. 231.01 (2) (a) 4 of the statutes is repealed.

SECTION 1617kn. 231.01 (3) (b) of the statutes is repealed.

SECTION 1617ko. 231.03 (5) of the statutes is amended to read:

231.03 (5) ~~Except as provided in sub. (6m), determine~~ Determine the location and character of any project to be financed under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any such purpose, enter into contracts for the management and operation of a project or other health facilities owned by the authority, and designate a participating health institution as its agent to determine the location and character of a project undertaken by the participating health institution under this chapter and as the agent of the authority, to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease as lessee or lessor and regulate the same, and as the agent of the authority, to enter into contracts for any such purpose, including contracts for the management and operation of such project or other health facilities owned by the authority.

SECTION 1617kp. 231.03 (6m) of the statutes is repealed.

SECTION 1617m. 231.03 (6r) of the statutes is created to read:

231.03 (6r) (a) Notwithstanding sub. (6), issue bonds of the authority to finance any project that has received an approval from the department of health and social services under ch. 150. The authority may refuse to issue bonds under this paragraph only if it determines that the issuance would not be financially feasible.

(b) Notwithstanding sub. (6), issue bonds of the authority to refinance outstanding debt of any health facility which is a health care institution as defined under ch. 150. The authority may not issue bonds under this paragraph unless the department certifies that refinancing will result in a reduction in the health facility's rates below the rates which would have otherwise prevailed. The authority may refuse to issue bonds under this paragraph if it determines that the issuance would not be financially feasible.

SECTION 1617s. 231.03 (7) of the statutes is amended to read:

231.03 (7) ~~Except as provided in sub. (6m), fix~~ Fix and revise from time to time and charge and collect rates, rents, fees and charges for the use of and for the services furnished or to be furnished by a project or other health facilities owned by the authority or any portion thereof, contract with any person in respect thereto and coordinate its policies and procedures and cooperate with recognized health facility rate setting mechanisms.

SECTION 1617sm. 231.03 (8) of the statutes is amended to read:

231.03 (8) ~~Except as provided in sub. (6m), adopt~~ Adopt rules for the use of a project or other health facility or any portion of the project or facility owned, financed or refinanced in whole or in part by the authority, including any property used as security for a loan secured through, from or with the assistance of the authority. The authority may designate a participating health institution as its agent to establish rules for the use of a project or other health facilities undertaken for that participating health institution. The rules shall ensure that a project, health facility or property may not be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1617tm. 231.03 (14) of the statutes is amended to read:

231.03 (14) ~~Make loans to a participating health facility to refund outstanding obligations or advances issued, made or given by the participating health institution for the cost of a project. The authority may also issue bonds and make loans to a participating health institution to refinance indebtedness incurred by the participating health institution in projects undertaken and completed or for other health facilities acquired prior to or after June 19, 1974 when the authority finds that the refinancing is in the public interest, alleviates a financial hardship of the participating health institution and results in a lessened cost of patient care and a saving to 3rd parties, including government and others who pay for care. The authority shall report any refinancing under this subsection to the rate review committee established under s. 146.60, which shall reduce the financial requirements of the applicant health facility by the amount of interest savings when approving the facility's rates for which bonds may be issued under sub. (6r) (b) to refinance the health facility's outstanding debt.~~ The authority may secure the loan or bond by a mortgage or other security arrangement on the health facility granted by the participating health institution to the authority.

SECTION 1617tp. 231.05 (2) of the statutes is repealed.

SECTION 1618. 231.20 of the statutes is amended to read:

**231.20 Waiver of construction and bidding requirements.** In exercising its powers under s. 101.12, the department of industry, labor and human relations or any city, village, town or county may, within its discretion for proper cause shown, waive any particular requirements relating to public buildings, structures, grounds, works and improvements imposed by law upon projects under this chapter; the requirements of s. 101.13 may not be waived, however. If, however, the prospective lessee so requests in writing, the authority shall, through the participating health institution as its agent, call for construction bids in such manner as is determined by the authority with the approval of the lessee.

SECTION 1619. Chapter 232 (title) of the statutes is repealed.

SECTION 1620. 232.01 to 232.03 of the statutes are repealed.

SECTION 1621. 232.04 of the statutes is renumbered 144.794, and 144.794 (1) (intro.) and (2), as renumbered, are amended to read:

144.794 (1) (intro.) The ~~authority~~ department shall provide assistance to individuals, groups, firms, industries and communities throughout the state to reuse and recycle solid waste through source separation, source reduction and other ~~low technology~~ low-technology approaches. This assistance may include, without limitation:

(2) The ~~authority~~ department may award grants to assist low technology recycling projects.

SECTION 1622. 232.07 to 232.55 of the statutes are repealed.

SECTION 1622am. 233.08 of the statutes is created to read:

**233.08 Repayment to general fund.** The authority shall repay the appropriation under s. 20.442 (1) (b) from contributions to the authority.

SECTION 1622e. 234.03 (13) of the statutes is amended to read:

234.03 (13) To purchase and enter into commitments for the purchase of mortgages and securities if the authority shall first determine that the proceeds of the sale of such mortgages and securities to the authority will be utilized for the purpose of residential housing for occupancy by persons or families of low and moderate income and to enter into agreements with sponsors of residential facilities, as defined in s. 46.28 (1) (d) and (e), and with eligible sponsors, mortgagors or issuers of securities for the purpose of regulating the planning, development and management of housing projects financed in whole or in part by the proceeds of the mortgages or securities purchased by the authority.

SECTION 1622m. 234.03 (15) of the statutes is amended to read:

234.03 (15) To acquire or contract to acquire from any person by grant, purchase or otherwise, leaseholds, real or personal property or any interest therein, only when the authority finds that low- or moderate-income housing cannot be developed privately without an acquisition by the authority, or when the authority acquires property by reason of default by a sponsor of a residential facility, as defined in s. 46.28 (1) (d) and (e), or by an eligible sponsor; to own, hold, clear, improve and rehabilitate and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same. Nothing in this chapter shall be deemed to impede the operation and effect of local zoning, building and housing ordinances or ordinances relating to subdivision control, land development, fire prevention or other ordinances having to do with housing or housing development.

SECTION 1622s. 234.70 of the statutes is created to read:

**234.70 Bonds for residential facilities for the elderly or chronically disabled.** (1) Upon the authorization of the department of health and social services, the authority may issue bonds or notes and make loans for the financing of the development costs of residential facilities that receive the approval of the department of health and social services under s. 46.28 (2). The limitations in ss. 234.18, 234.40, 234.50 and 234.60 do not apply to bonds or notes issued under this section. The definition of "nonprofit corporation" in s. 234.01 (9) does not apply to this section.

(2) (a) The aggregate amount of outstanding bonds or notes issued under this subsection may not exceed \$99,400,000.

(b) Of the amount specified in par. (a), \$30,000,000 may only be used to finance residential facilities serving 15 or fewer persons who are chronically disabled, as defined in s. 46.28 (1) (b).

(c) 1. Of the amount specified in par. (a), \$48,580,000 may only be used to finance residential facilities serving 125 or fewer elderly persons, as defined in s. 46.28 (1) (c) or to finance additional residential facilities serving 15 or fewer persons who are chronically disabled.

2. The remainder of the amount specified in par. (a) may only be used to finance residential facilities serving 50 or fewer elderly persons, as defined in s. 46.28 (1) (c), or to finance additional residential facilities serving 15 or fewer persons who are chronically disabled.

3. At least 20% of the units in any residential facility serving elderly persons for which bonds or notes are issued under this paragraph shall be reserved for low-income elderly persons.

(3) The authority is not required to issue bonds or notes under this section to finance residential facilities for persons and families of low and moderate income.

SECTION 1622v. 340.01 (56) (b) 2 of the statutes is amended to read:

340.01 (56) (b) 2. A motor vehicle transporting fewer than 10 persons including the operator used in transportation within par. (a) arranged by or among parents or guardians of persons being transported or provided by a day care center for children enrolled at

the day care center if a parent or guardian of the child gives written consent for such transportation.

SECTION 1623. 341.09 (2) (d) of the statutes is amended to read:

341.09 (2) (d) The department may issue temporary operation plates for use on any vehicle except busses, for-hire vehicles and vehicles which are subject to registration under the international registration plan if the state is a party to such plan or vehicles which are subject to registration under s. 341.41 (9). The department shall determine the size, color, design, form and specifications of the plate. The department shall charge a fee of \$3 for each temporary operation plate issued under this subsection.

SECTION 1626. 341.09 (2m) (a) of the statutes is amended to read:

341.09 (2m) (a) Upon request by a dealer licensed in this state, the department may issue any number of temporary operation plates to a dealer under sub. (2) at a fee of \$3 per plate. The dealer may issue the temporary operation plate at a fee of \$3 to any state resident who purchases from the dealer any type of vehicle except busses, for-hire vehicles and vehicles which are subject to registration under the international registration plan if the state is a party to such plan or vehicles which are subject to registration under s. 341.41 (9). The department shall prescribe the manner in which a dealer shall keep records of temporary operation plates issued by the dealer.

SECTION 1627m. 341.10 (9) of the statutes is amended to read:

341.10 (9) ~~During calendar 1982,~~ Between January 1, 1982, and April 1, 1984, if the department establishes an inspection and maintenance program under s. 110.20 (2) (a), if the vehicle is required to be inspected under s. 110.20 (6) and:

(a) The vehicle has not been inspected; or

(b) The most recent inspection of the vehicle under s. 110.20 indicates noncompliance with one or more applicable emissions limitations unless the department has issued a temporary waiver certificate under s. 110.20 (10) (b) or a waiver of compliance under s. 110.20 (13).

SECTION 1628b. 341.10 (10) (intro.) of the statutes is amended to read:

341.10 (10) (intro.) After ~~December 31, 1982~~ April 1, 1984, the vehicle is required to be inspected under s. 110.20 (6) and:

SECTION 1666. 341.31 (2) (a) of the statutes is amended to read:

341.31 (2) (a) For vehicles registered under the conditions in sub. (1) (a), (b) or (d), the fee for the current registration period shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle multiplied by the number of months of the current registration period which have not fully expired on the date the vehicle first is operated by or with the consent of the applicant under circumstances making it subject to registration in this state (plus \$1, in case of a quarterly registration), ~~\$5.~~ In the case of a vehicle which has not previously been registered or which has not been registered in this state by the present owner since the owner last acquired ownership of the vehicle, the department shall assume that the date of first operation is the date of the bill of sale evidencing transfer of ownership to the applicant unless he or she files with the department a statement that the vehicle was not so operated until a later date, specifying the date of such first operation. The department may refuse to accept any statement which projects the date of first operation into the future.

SECTION 1671. 341.35 (1) of the statutes is amended to read:

341.35 (1) ANNUAL REGISTRATION FEE. In this section "municipality" means a town, village or city and "motor vehicle" means an automobile or station wagon or motor truck registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds. The governing body of a municipality or county may enact an ordinance imposing an annual flat municipal or county registration fee on all motor vehicles registered in this

state which are customarily kept in the municipality or county. A registration fee imposed under this section shall be in addition to state registration fees ~~but not more than 50% of the state registration fee.~~

SECTION 1672. 341.35 (3) of the statutes is repealed.

SECTION 1673. 341.35 (5) of the statutes is repealed and recreated to read:

341.35 (5) PAYMENT OF FEES. At the time a motor vehicle is first registered or at the time of registration renewal, the applicant shall pay to the department any fee imposed by a county or municipality under this section in addition to fees required under this chapter.

SECTION 1674. 341.35 (6) of the statutes is repealed and recreated to read:

341.35 (6) DEPARTMENT TO REMIT FEES TO MUNICIPALITIES AND COUNTIES. Beginning July 1, 1984, and annually thereafter, the department shall remit those moneys collected under this section, less administrative costs under sub. (6m), to any municipality or county which has imposed a fee under this section. The department may by rule provide that the moneys be remitted at more frequent intervals if the department deems it advisable.

SECTION 1675. 341.35 (6m) of the statutes is created to read:

341.35 (6m) ADMINISTRATIVE COSTS. The department shall retain a portion of the moneys collected under this section equal to the actual administrative costs related to the collection of these fees. The department shall establish the method for computing the administrative costs by rule and review the methodology annually to ensure full reimbursement of its expenses.

SECTION 1676. 341.35 (8) of the statutes is created to read:

341.35 (8) RULES. The department shall adopt rules necessary to implement this section.

SECTION 1677. 341.405 (4) of the statutes is created to read:

341.405 (4) The secretary of transportation, with the approval of the governor and the joint committee on finance, may withdraw from the international registration plan adopted by the American association of motor vehicle administrators if the secretary deems such action necessary and desirable.

SECTION 1678. 341.41 (8) of the statutes is renumbered 341.41 (8) (a).

SECTION 1680. 341.41 (8) (b) of the statutes is created to read:

341.41 (8) (b) This subsection applies only if the state is a party to the international registration plan under s. 341.405 (1).

SECTION 1681. 341.41 (9) of the statutes is created to read:

341.41 (9) (a) Motor carriers engaged in interstate commerce or jointly in interstate and intrastate commerce and operating a fleet of one or more units consisting of trucks, truck tractors or road tractors with a gross weight of 26,000 pounds or more, or power units having 3 or more axles regardless of weight, or vehicle combinations when the weight of such combinations exceed 26,000 pounds may file an application for a prorated registration plate under this subsection. Eligibility under this subsection is conditioned on the vehicle also displaying a registration plate from another jurisdiction. An application for a prorated registration plate under this subsection shall be accompanied by payment to the department of a fee in an amount equal to that obtained by applying the proportion of Wisconsin in-state fleet miles plus fleet miles operated in jurisdictions with which Wisconsin has a free reciprocity agreement on vehicle registration fees divided by the total fleet miles to the total fees which would otherwise be required for annual registration of the vehicles in Wisconsin. In addition the registrant shall pay a \$3 cab card fee per vehicle and a \$3 plate or decal fee per vehicle. The department may refuse to permit any or all of such vehicles to be registered under this subsection if the department is not

satisfied that the state will obtain a fair and equitable share of license revenue from the vehicles comprising such fleet.

(b) This subsection does not apply if the state is a party to the international registration plan under s. 341.405 (1).

SECTION 1687. 342.14 (1) of the statutes is amended to read:

342.14 (1) For filing an application for the first certificate of title, ~~\$4~~ \$5, by the owner of the vehicle.

SECTION 1688. 342.14 (3) of the statutes is amended to read:

342.14 (3) For a certificate of title after a transfer, ~~\$4~~ \$5, by the owner of the vehicle.

SECTION 1689. 342.14 (5) of the statutes is amended to read:

342.14 (5) For a replacement certificate of title, ~~\$7~~ \$8, by the owner of the vehicle.

SECTION 1689p. 343.10 (3) of the statutes is renumbered 343.10 (3) (a).

SECTION 1689q. 343.10 (3) (b) of the statutes is created to read:

343.10 (3) (b) If the department determines that the person is eligible for and has been issued a temporary occupational license under sub. (1), the department may issue an occupational license to the person upon receipt of an order for such a license without regard to the dates set forth under par. (a).

SECTION 1690f. 346.17 (2) of the statutes is amended to read:

346.17 (2) Any person violating ss. 346.05, 346.07 (2) or (3), 346.08 to 346.11, 346.13 (2) or 346.14 to 346.16 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1690g. 346.22 (2) of the statutes is amended to read:

346.22 (2) Any person violating s. 346.19 or 346.20 (1) (a) may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1690h. 346.30 (2) of the statutes is amended to read:

346.30 (2) Any person violating s. 346.24 (1) or (3) or 346.27 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1690i. 346.43 (2) of the statutes is amended to read:

346.43 (2) Any person violating s. 346.42 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1690j. 346.49 (2) (a) of the statutes is amended to read:

346.49 (2) (a) Unless otherwise provided in par. (b), any person violating s. 346.44, 346.45 or 346.48 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1690L. 346.49 (3) of the statutes is amended to read:

346.49 (3) A vehicle owner or other person found liable under s. 346.485 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300. Imposition of liability under s. 346.485 shall not result in suspension or revocation of a person's operating license under s. 343.30, nor shall it result in demerit points being recorded on a person's driving record under s. 343.32 (2) (a).

SECTION 1692f. 346.56 (2) of the statutes is amended to read:

346.56 (2) Any person violating s. 346.505, 346.51 or 346.55 (1), (2) or (5) may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1692g. 346.60 (2) of the statutes is amended to read:

346.60 (2) Except as provided in sub. (5), any person violating s. 346.57 (4) (d) to (h) or (5) or 346.58 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1692h. 346.60 (4) of the statutes is amended to read:

346.60 (4) Any person violating s. 346.595 may be required to forfeit not less than ~~\$20~~ \$30 nor more than ~~\$200~~ \$300.

SECTION 1704. 347.75 of the statutes is repealed.

SECTION 1705. 347.76 of the statutes is repealed.

SECTION 1706. 348.15 (5r) of the statutes is amended to read:

348.15 (5r) Irrespective of sub. (5), in determining overweight under sub. (3) (br) the results of weighing by means of either portable scales or stationary scales shall be admissible as evidence, ~~but the operator may request reweighing on a certified stationary scale.~~ Portable scales shall be checked by weighing in comparison to certified stationary scales within ~~40~~ 90 days immediately prior to any weighing operation. In all cases where a vehicle is weighed on a certified stationary scale, axles less than 6 feet apart shall be weighed as one unit.

SECTION 1709. 350.12 (4) (a) 4 of the statutes is amended to read:

350.12 (4) (a) 4. An amount necessary, ~~but not to exceed \$100,000~~, to pay the cost of law enforcement aids to counties as appropriated under s. 20.370 (4) (~~ft~~) (gt). On or before June 1, a county shall file with the department on forms prescribed by the department a detailed statement of the costs incurred by the county in the enforcement of this chapter during the preceding May 1 to April 30. The department shall audit the statements and determine the county's net costs for enforcement of this chapter. The department shall compute the state aids on the basis of 100% of these net costs and shall pay these aids on or before October 1. If the state aids payable to counties exceed the moneys available for such purpose, the department shall prorate the payments.

SECTION 1710. 350.12 (4) (b) 2 of the statutes is amended to read:

350.12 (4) (b) 2. Not more than \$30,000 annually for a cooperative sign program with snowmobile clubs for club snowmobile trails open to the public and meeting minimum trail construction standards. Clubs may apply to the department for free signs ~~or aids for signs~~ on forms prescribed by the department and submit required documentation as prescribed by departmental rule on or before ~~October 1~~ April 15 of each year.

SECTION 1711. 350.15 (1) of the statutes is renumbered 350.15 (2).

SECTION 1712. 350.15 (2) (title) of the statutes is renumbered 350.15 (3) (title).

SECTION 1713. 350.15 (2) (a) of the statutes is renumbered 350.15 (3) (a) and amended to read:

350.15 (3) (a) If ~~the a~~ snowmobile accident results in the death or injury to of any person ~~or total property damage in excess of \$100~~, every operator of a snowmobile involved in ~~such~~ the accident shall, ~~as soon as possible~~, give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and shall, within 10 days after the accident, shall file a written report thereof of the accident with the department on the form prescribed by it.

SECTION 1714. 350.15 (2) (b) of the statutes is renumbered 350.15 (3) (b).

SECTION 1715. 350.15 (3) (intro.), (a) and (b) of the statutes are renumbered 350.15 (1) (intro.), (b) and (a).

SECTION 1716. 350.15 (3) (c) of the statutes is repealed.

SECTION 1717. 440.05 (3) of the statutes is amended to read:

440.05 (3) Renewals: ~~\$25~~ \$35.

SECTION 1718. 442.01 (4) of the statutes is repealed.

~~SECTION 1718m. 448.02 (4) of the statutes is amended to read:~~

~~448.02 (4) SUSPENSION PENDING HEARING. The board may summarily suspend any license or certificate granted by the board for a period not to exceed 30 days pending hearing, when the board has in its possession evidence establishing probable cause to believe that the holder of the license or certificate has violated the provisions of this chapter or that a licensed podiatrist has failed to maintain the health care liability coverage required for podiatrists under s. 655.23 (4), and that it is necessary to suspend the license or certificate immediately to protect the public health, safety or welfare. The holder of the license or certificate shall be granted an opportunity to be heard during the determination of probable cause. The board may designate any of its officers to exercise the authority granted by this subsection to suspend summarily a license or certificate, but such suspension shall be for a period of time not to exceed 72 hours. If a license or certificate has been summarily suspended by the board or any of its officers, the board may, while the hearing is in progress, extend the initial 30-day period of suspension for an additional 30 days. If the holder of the license or certificate has caused a delay in the hearing process, the board may subsequently suspend the license or certificate from the time the hearing is commenced until a final decision is issued or may delegate such authority to the hearing examiner.~~

**Vetoed  
in Part**

~~SECTION 1718r. 448.075 of the statutes is created to read:~~

~~448.075 Licensure of physicians with Canadian licensure. The board shall license, without restriction, further examination or any requirement of reciprocity, any person who is registered on the Canadian medical register as a licentiate of the medical council of Canada and who has practiced medicine and surgery in this state for at least 4 years under any class of license issued under this chapter.~~

**Vetoed  
in Part**

SECTION 1719. 452.01 (7) of the statutes is amended to read:

452.01 (7) "Salesperson" means any person other than a broker who is employed by a broker to perform any act authorized by this chapter to be performed by a broker.

SECTION 1720. 452.10 (3) and (4) of the statutes are amended to read:

452.10 (3) The fees for examinations and licenses granted or renewed under this chapter are specified in s. 440.05, ~~except that a licensed broker may apply for a license as a salesperson upon payment of a \$5 fee.~~

(4) (a) Any licensed salesperson or broker may at any time apply upon forms prescribed and provided by the department for transfer to the employment of another a licensed broker. ~~The fee for by first paying the transfer by a salesperson is fee specified in s. 440.05 (7), payable at the time the application is filed and filing a transfer form with the department.~~

(b) ~~Suspension or revocation of a license issued to a broker shall automatically suspend the license of every salesperson employed by the broker at the time of the suspension or revocation of the broker's license. No salesperson or broker may be employed by a broker whose license has been suspended or revoked during the period of suspension or revocation. The salesperson or broker may apply for transfer to some other licensed broker by complying with this chapter, provided the salesperson or broker is not a party to the activities causing the suspension or revocation of the license of the broker.~~

SECTION 1721. 452.11 (1) of the statutes is amended to read:

452.11 (1) A nonresident may become a broker or salesperson by conforming to all the provisions of this chapter, except that a nonresident broker shall maintain an active place of business in the state in which the broker holds a license. Nonresident brokers may not employ brokers or salespersons in this state.

SECTION 1722. 452.12 (2) of the statutes is amended to read:

452.12 (2) CORPORATIONS; PARTNERSHIPS. ~~If the licensee is a corporation, the (a) A license may be issued to a corporation if the corporation has at least one officer licensed as a broker. The license issued to it the corporation entitles the president or other each officer as is designated by of the corporation who is a licensed broker to act as a broker. For each other officer who desires to act as a broker on behalf of the corporation, an additional license shall be obtained. The fee for the corporate or partnership license shall be that specified in s. 440.05 (8). No license as a salesperson may be issued to any officer of a corporation or member of a partnership to which a license was issued as a broker. If the licensee is a partnership, the~~

(b) A license may be issued to a partnership if the partnership has at least one member who is a licensed broker. The license issued to it the partnership entitles one each member of the partnership who is a licensed broker to act as a broker, and for each other member who desires to act as a broker an additional license shall be obtained on behalf of the partnership.

SECTION 1723. 452.12 (2) (c) of the statutes is created to read:

452.12 (2) (c) Application for a corporate or partnership license shall be made on forms prescribed by the department, listing the names and addresses of all officers and partners, and shall be accompanied by the fee specified in s. 440.05 (8). If there is a change in any of the officers or partners, the change shall be reported to the department, on the same form, within 30 days after the effective date of the change.

SECTION 1724. 452.12 (3) (a) of the statutes is amended to read:

452.12 (3) (a) Each broker ~~shall be is~~ responsible for the acts of any broker or salesperson acting as the broker's agent employed by the broker.

SECTION 1725. 452.12 (3) (b) of the statutes is amended to read:

452.12 (3) (b) If a broker maintains any branch offices within in this state, each branch office must be under the direct full-time supervision of a licensed broker who is also a licensed salesperson of the employer licensee and who resides in the county in which the branch office is located or within 50 miles of the branch office. The employer broker maintaining the branch office shall be responsible for the acts and conduct of all licensed employes of brokers and salespersons employed at the branch office, including the broker who is supervisor of the branch office. The biennial fee for a branch office is specified in s. 440.05 (8).

SECTION 1731k. 551.23 (10) of the statutes is repealed and recreated to read:

551.23 (10) Any offer or sale of its securities by an issuer, if all of the following conditions are met:

(a) The aggregate number of persons holding directly or indirectly all of the issuer's securities, after the securities to be issued are sold, does not exceed 35, exclusive of accredited investors as defined in 17 CFR 230.501 (a) and persons exempt under sub. (8).

(b) No commission or other remuneration for soliciting any person in this state is paid or given directly or indirectly to any person other than a broker-dealer or agent of the broker-dealer or issuer licensed in this state.

(c) Full written disclosure of all material terms and conditions of the offering is provided to each purchaser in this state before the sale of the issuer's securities to the purchaser. The commissioner shall adopt rules regulating disclosures required under this paragraph which are similar to, but no more burdensome to the issuer than, 17 CFR 230.502 (b).

(d) The disclosure materials provide that a purchaser of the issuer's securities must represent in writing that the dollar amount of securities purchased does not exceed 20% of the purchaser's net worth, exclusive of the purchaser's principal residence and its furnishings and personal use automobiles.

(e) Except as provided in par. (c), the issuer or any agent of the issuer does not offer or sell the securities by any form of general public solicitation or advertising, including any advertisement, article, notice or other communication published in or aired over any print or broadcast medium, or by conducting any seminar or meeting where the attendees are invited by general solicitation or advertising.

(f) Within 15 days after the first sale of securities in the offering, the issuer files with the commissioner a copy of the applicable notice required by the federal securities and exchange commission for sales of securities under sections 3 (b), 4 (2) or 4 (6) of the securities act of 1933.

SECTION 1731m. 551.23 (12) of the statutes is amended to read:

551.23 (12) Any transaction pursuant to an offer to existing security holders of the issuer, other than an entity designated in s. 551.52 (1) (b), or of a corporation which, prior to the offer, owned substantially all of the voting stock of the issuer or whose controlling persons organized the issuer for the purpose of the offer, if no commission or other remuneration other than a standby commission is paid or given directly or indirectly for soliciting any security holder in this state, and if, prior to any offer or sale, the issuer files a notice specifying the terms of the offer and all other information which the commissioner by rule requires and the commissioner does not by order disallow the exemption within 10 days. "Security holders" include persons who at the time of the transaction are holders of convertible securities, nontransferable warrants or transferable warrants exercisable within not more than 90 days of their issuance.

SECTION 1731p. 551.27 (2) (a) of the statutes is amended to read:

551.27 (2) (a) The amount of securities to be offered in this state, if the issuer is not subject to s. 551.52 (1) (b);

SECTION 1731r. 551.28 (1) (e) and (f) of the statutes are amended to read:

551.28 (1) (e) The Subject to sub. (7), the issuance or sale of the securities is or would be unfair or inequitable to purchasers or has worked or tended to work a fraud upon purchasers or would so operate;

(f) The Subject to sub. (7), the offering has been or would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions or other compensation, or promoters' profits or participation, or unreasonable amounts or kinds of options;

SECTION 1731s. 551.28 (7) of the statutes is created to read:

551.28 (7) Subsection (1) (e) and (f) does not apply to the issuance or sale of securities to any of the following if all material information in connection with the issuance or sale is disclosed to all purchasers:

(a) A person having an annual gross income of at least \$30,000 and a net worth of at least \$30,000, exclusive of the person's principal residence and its furnishings and personal use automobiles.

(b) A person having a net worth of at least \$75,000, exclusive of the person's principal residence and its furnishings and personal use automobiles.

(c) A retirement trust or plan of a person under par. (a) or (b).

SECTION 1731t. 551.52 (1) and (2) of the statutes are amended to read:

551.52 (1) (a) There shall be a ~~minimum~~ filing fee of \$200 ~~\$750~~ for every registration statement filed under s. 551.25 or 551.26. When a registration statement is denied or withdrawn before the effective date or a pre-effective stop order is entered under s. 551.28, the ~~minimum~~ filing fee shall be retained. ~~Except as provided in par. (b), there shall be an additional fee of one-tenth of one percent of the maximum aggregate offering price at which the registered securities are to be offered in this state, and the maximum filing fee shall be \$400.~~

(b) ~~If the An indefinite amount of securities shall be registered under a registration statement relates relating to redeemable securities issued by an open-end management company, unit investment trust or a face amount certificate company, as defined in the investment company act of 1940, the additional fee shall be one twentieth of one percent of the maximum aggregate offering price at which the registered securities are to be offered in this state, and there shall be no maximum filing fee. The commissioner may by rule permit the registration of an indefinite amount of such securities and prescribe a method for payment of the filing fee and the applicant shall pay the fee under par. (a). The registrant also shall, within 60 days after the end of each fiscal year during which its registration statement is effective and within 60 days after the registration is terminated, pay a fee of \$1,500 or file a report on a form prescribed by rule of the commissioner specifying its sales of securities to persons in this state during the fiscal year and pay a fee of 0.05% of the securities sold to persons in this state, but not less than \$150 nor more than \$1,500.~~

(2) Every applicant for an initial or renewal license under s. 551.32 shall pay a filing fee of ~~\$100~~ \$200 in the case of a broker-dealer, ~~\$20~~ \$30 in the case of an agent representing a broker-dealer or issuer or a person representing an investment adviser, and ~~\$100~~ \$200 in the case of an investment adviser. A broker-dealer or investment ~~adviser~~ adviser maintaining ~~any~~ a branch office within this state shall pay an additional filing fee of \$30 for each branch office. When an application is denied or withdrawn, the filing fee shall be retained.

SECTION 1732. 560.01 (1) of the statutes is amended to read:

560.01 (1) PURPOSES. The functions of the department are of an advocacy, consultative, advisory, informational, coordinative and promotional nature. Through research, planning, consultation and through promotion of the development and maximum wise use of the natural and human resources of the state, it shall foster the growth and diversification of the economy of the state. It shall serve as the central agency and clearing-house for developmental activities concerning the economy of the state. It shall make recommendations to the governor for the purpose of guiding a coordinated and economically efficient development of the state and shall seek closer cooperation and coordination between units of state government, educational institutions, local governments, local planning agencies, including regional planning commissions, and business and industry to foster and encourage a pattern of community development and of state-local and business relationships so that the economy of the state may continue to develop fully and meet citizen and community needs. It shall make continuing studies of the problems affecting economic and community development and recommendations for relieving those problems, and function in any other reasonable manner that will accomplish the stated purposes of this chapter. The department ~~shall~~ may also coordinate training for local government officials provided by state agencies including, but not limited to, the university of Wisconsin-extension and the vocational, technical and adult education system.

SECTION 1732m. 560.03 (16) of the statutes is created to read:

560.03 (16) Publish and distribute a list of all aid programs and services made available by this state to its communities. The department shall charge and collect a fee to cover the cost of publication and distribution under this subsection.

SECTION 1733. 560.04 (2) (f) of the statutes is renumbered 560.04 (2m) and amended to read:

560.04 (2m) (title) DUTIES. ~~Assign~~ The department may assign one or more full-time equivalent positions to the function of coordinating the development and scheduling of training programs for local government officials by the university of Wisconsin-extension, the vocational, technical and adult education system, department of revenue, elections board and other state agencies in order to assure the effective delivery of training

programs and to prevent duplication of effort and coordinating requests for management or personnel consultative services from government units other than the state and directing those requests to the appropriate division of the department of administration.

SECTION 1734. 560.04 (2) (i) of the statutes is repealed.

SECTION 1735. 560.04 (2) (j) of the statutes is amended to read:

560.04 (2) (j) Administer ~~state and federal~~ grant programs related to economic or community development, including economic development assistance programs and housing and urban development comprehensive planning grants affecting local government, business or industry, to assist and strengthen local, regional and state economic and community development and support experimental and cooperative activities and intergovernmental relations, training of local government officials and personnel, and other activities consistent with the purposes of this chapter.

SECTION 1736. 560.04 (3) (b) of the statutes is amended to read:

560.04 (3) (b) *Loans*. The department may make, with or without interest or security, loans from the appropriation made under s. 20.143 (3) (f), (fa), (j), ~~(jm) or (L) or (v)~~ for development or construction of low- and moderate-income housing projects. No loan may be made unless the secretary may reasonably anticipate permanent financing of the project. The department shall request the state building commission to contract revenue obligations to fund loans under this paragraph. The commission shall, at the request of the department, contract under subch. II of ch. 18 \$1,000,000 in revenue obligations, excluding obligations issued to refund outstanding revenue obligations issued under this paragraph, for the purpose of funding loans under this paragraph. The department may, under s. 18.56 (5) and (9) (j), deposit in a separate and distinct fund outside the state treasury all revenues received in the repayment of loans, funded from the appropriation under s. 20.143 (3) (v), made under this subsection and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this fund to secure revenue obligations issued to fund loans under this paragraph. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

SECTION 1737. 560.07 (8) of the statutes is created to read:

560.07 (8) Promote the technology development grant program under s. 560.085 as a means to support the diversification and growth of the economy of this state.

SECTION 1738. 560.085 of the statutes is created to read:

**560.085 Technology development grants.** (1) In this section:

- (a) "Board" means the technology development board.
- (b) "Business entity" means a company headquartered in this state or a group of companies at least 80% of which are headquartered in this state.
- (c) "Consortium" means an association of a business entity and a higher education institution subject to an agreement complying with sub. (3) (b).
- (d) "Higher education institution" means the university of Wisconsin system or an institution located in this state and offering a postbaccalaureate or professional degree program.

(2) (a) Subject to sub. (3), the board may make a grant to a consortium from the appropriation under s. 20.143 (1) (e) after considering all of the following:

1. The financial soundness of the business entity.
2. Whether the business entity intends to maintain operations in this state after completion of research supported by grant funds.
3. The technical soundness of the proposed research.

4. The degree to which technological developments likely to come from the proposed research would be used in and be of benefit to the economy of this state.

5. The contribution of the proposed research to the research aims of the higher education institution.

(b) Subject to sub. (3), the board may make a grant to the university of Wisconsin system from the appropriation under s. 20.143 (1) (e) to disseminate existing information particularly to meet a specific request or to provide direct services to businesses.

(3) (a) A grant under sub. (2) (a) shall support research addressing the technical aspects of a new or improved industrial product or process.

(b) No grant may be made under sub. (2) (a) unless the business entity and the higher education institution have entered into a written agreement concerning patents and licenses which may result from the proposed research, dissemination of information relating to the proposed research and program responsibilities of research project personnel.

(c) Funds expended or encumbered for projects funded under sub. (2) (a) in any biennium may not exceed 40% of the total budgets of all research projects awarded grants under sub. (2) (a) in that biennium.

(d) The business entity shall contribute at least 20% but not more than 90% of the budget of a research project awarded a grant under sub. (2) (a).

(e) Not more than 25% of funds expended or encumbered under s. 20.143 (1) (e) in any biennium may be awarded to consortia including higher education institutions other than the university of Wisconsin system.

(f) Funds from a grant awarded under this section not expended within 2 years of the grant award shall be returned to the board.

(g) Funds from a grant awarded under this section may not be used to pay overhead costs or to replace funds from any other source.

(h) In awarding grants under sub. (2) (a), the board shall give priority to the following:

1. Research projects having a potential for future private sector support or for encouraging future private sector support of related research.

2. Research projects likely to be completed within 2 years of a grant award.

(i) The board shall provide for the auditing and evaluation of grants awarded under this section.

SECTION 1739. 560.095 of the statutes is created to read:

**560.095 Labor training program.** (1) CREATION AND PURPOSE. There is created a labor training program to provide specialized job training to state residents in new technologies and industrial job skills to meet the critical manpower needs of specific businesses when the training is not available through existing federal, state or local resources.

(2) ADMINISTRATION. The department shall administer the labor training program. The board of vocational, technical and adult education shall cooperate with and assist the department and private industry in the development of labor training programs under this section and shall provide technical assistance in reviewing applications for training programs submitted to the department.

(3) TRAINING PROGRAM APPLICATION AND APPROVAL. (a) One or more businesses may submit an application to the department for funds to establish a labor training program under this section. The application shall include a detailed training program plan setting forth the type of specialized training and the number of trainees required, the institutions, entities or persons who will provide the training, the equipment and facilities needed for the training program, the locations where training will take place, the duration of the training program, an itemization of estimated program costs and any additional information required by the department. The application shall include a state-

ment by the applicant or applicants that guarantees the employment in this state of all persons who successfully complete the training program.

(b) Every labor training program shall provide job training with at least 2 weeks of actual instruction.

(c) No payment may be made by the department for any training program until the program is approved by a majority of a 3-member review panel consisting of the secretary, the director of the vocational, technical and adult education system and the secretary of industry, labor and human relations, or their designees. A labor training program may not be approved without a finding by the review panel that comparable training cannot be made available through existing federal, state or local resources.

(d) In reviewing and approving applications for labor training programs under this section, the review panel shall consider all of the following:

1. The extent of skill upgrading offered to program trainees.
2. Whether the training program will help meet existing and emerging occupational skill needs.
3. Whether the training program is cost-effective.
4. Whether the training program would promote business development that would not otherwise take place.

(4) FUNDING; ELIGIBLE COSTS. (a) After an approved labor training program is established, the department shall make payments from the appropriation under s. 20.143 (1) (d) to the business sponsor of the program for not to exceed 50% of the eligible costs of the program. The department may make the payments on a reimbursement or lump-sum basis. The department shall withhold 10% of its share of the costs until the program is completed.

(b) Eligible training program costs include all of the following:

1. Instructional staff expenses, such as instructor's salaries, fringe benefits and travel expenses, instructional materials, pretraining costs for recruiting and training instructors and curriculum development costs.
2. The reasonable rental costs of instructional equipment and training facilities, if necessary.
3. Necessary costs of recruiting, screening and counseling program trainees.
4. Financial audit costs.

(c) A participating business may make its contribution to the labor training program in cash or in-kind payments.

(5) TRAINING PROVIDERS. The instruction of trainees under an approved labor training program may be provided by one or more of the following:

- (a) A business.
- (b) A private consultant or contractor.
- (c) A local school for vocational, technical and adult education.
- (d) A public or private secondary or postsecondary institution.

(6) TARGETED BUSINESSES. In approving labor training programs under this section, the review panel shall give priority to businesses that:

- (a) Have recently located or have made a firm commitment to locate in this state;
  - (b) Are expanding at the same industrial site or at a different location within this state;
- or
- (c) Are upgrading a manufacturing process, product or service in this state requiring new job skills that current employees do not possess.

(7) RULE MAKING. The department shall adopt rules to administer this section.

SECTION 1740. 560.11 of the statutes is repealed.

SECTION 1741. 619.01 (8m) of the statutes is created to read:

619.01 (8m) **PREMIUM ASSESSMENT.** Health care liability plans established under this chapter shall pay a fee equal to 2% of net premiums collected to the department of administration for services from state agencies not otherwise charged to the plan.

SECTION 1742. 619.12 (2) (e) of the statutes is created to read:

619.12 (2) (e) No person is eligible for coverage under the plan for whom a premium, deductible or coinsurance amount is paid or reimbursed by a federal, state, county or municipal government or agency.

SECTION 1742m. 619.125 (1) of the statutes is renumbered 619.125 and amended to read:

**619.125 Health insurance risk sharing plan fund.** There is created a health insurance risk sharing plan fund, under the management of the board, to ~~pay claims on behalf of eligible persons and fund administrative expenses. Coverage provided by the fund is on a fiscal year basis and shall begin on July 31, 1981.~~

SECTION 1742n. 619.125 (2) to (4) of the statutes are repealed.

SECTION 1743. 619.14 (4) (m) of the statutes is created to read:

619.14 (4) (m) Experimental treatment, as determined by the board or its designee.

SECTION 1744. 619.14 (5) (a) and (c) and (6) of the statutes are amended to read:

619.14 (5) (a) The plan shall offer a \$1,000 deductible in combination with appropriate premiums determined under this subchapter for major medical expense coverage required under this section. For coverage offered to those persons eligible for medicare, the plan shall offer a deductible equal to the deductible charged by part A of title XVIII of the federal social security act, as amended. Expenses used to satisfy the deductible during the last 90 days of a calendar year shall also be applied to satisfy the deductible for the following calendar year. The schedule of premiums shall be promulgated by rule by the commissioner. The rating plan shall ~~be designed to be self-sufficient, except that for the first 3 years of its operation, the rating plan shall~~ not provide for rates greater than ~~130%~~ 150% of the rate which a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under this section.

(c) If the aggregate of the covered costs not paid by the plan under par. (b) and the deductible exceeds \$500 for an eligible person receiving medicare, ~~\$1,500~~ \$2,000 for any other eligible person during a calendar year or ~~\$3,000~~ \$4,000 for all eligible persons in a family, the plan shall pay 100% of all covered costs incurred by the eligible person during the calendar year after the payment ceilings under this paragraph are exceeded.

(6) **PREEXISTING CONDITIONS.** No person who obtains coverage under the plan may be covered for any preexisting condition during the first ~~30 days~~ 6 months of coverage under the plan if the person was diagnosed or treated for that condition during the 6 months immediately preceding the filing of an application with the plan.

SECTION 1744c. 619.17 (1) of the statutes is amended to read:

619.17 (1) A rating plan calculated in accordance with generally accepted actuarial principles. The rating plan ~~shall be designed to be self-sufficient, except during the first 3 years of its operation the rating plan shall~~ may not provide for rates greater than ~~130%~~ 150% of the rate which a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

Vetoed  
in Part

~~SECTION 1744d. 628.36 (1) of the statutes is repealed.~~

SECTION 1744f. 628.36 (2) of the statutes is renumbered 628.36 (2) (b) and amended to read:

628.36 (2) (b) ~~No~~ Except as provided in subs. (2a) to (3), no health care plan ~~or contract~~ may prevent any person covered under the plan from choosing freely among ~~licensed health care professionals~~ providers who have agreed to participate in the plan and abide by its terms, except by requiring the person covered to select primary providers to be used when reasonably possible. ~~No licensed professional provider~~ may be required to participate exclusively in the plan as a condition ~~for~~ of participation in it, nor may any ~~licensed professional provider~~ be denied the opportunity to participate in the plan under its terms, except for ~~professional cause~~ related to the practice of his or her profession.

SECTION 1744fm. 628.36 (2) (a), (2a) and (2m) of the statutes are created to read:

628.36 (2) (a) In this subsection:

1. "Health care plan" means an insurance contract providing coverage of health care expenses.

2. "Provider" means a health care professional, a health care facility or a health care service or organization.

(2a) PREFERRED PROVIDER PLANS. (a) In this subsection:

1. "Preferred provider plan" means a health care plan as defined in sub. (2) (a) 1 which limits participation in it to providers selected by the health care plan ~~and which covers or provides physician's services, hospital services, podiatrist's services or chiropractic services, but which does not cover or provide vision care services, procedures or materials other than vision-related surgery and the treatment of vision-related disease~~.

Partial  
Veto  
Overruled

2. "Open panel plan" means a health care plan as defined in sub. (2) (a) 1 which does not limit participation in it except to providers who have agreed to participate in the plan and abide by its terms.

(b) Subject to chs. 600 to 646, except sub. (2) (b), any insurer may establish or operate a preferred provider plan.

(c) Subject to conditions of the preferred provider plan, any person may elect to enroll in a preferred provider plan. No preferred provider plan may prevent any person from choosing among providers participating in the plan, except by requiring the covered person to select primary providers to be used when reasonably possible.

(d) An employer may not offer to its employes a preferred provider plan unless it also offers at least one open panel plan which provides at least substantially equivalent benefits. The employer shall give its employes the opportunity to choose between the plans at least once annually, adequate notice of the opportunity to choose between the plans and complete and understandable information regarding the differences between the plans.

(e) 1. Subject to subd. 2, a person enrolled in a preferred provider plan may obtain covered health care services from a provider not selected by the preferred provider plan.

2. The preferred provider plan may limit coverage of health care services obtained under subd. 1 to health care services performed by a provider not selected by the plan but who is willing to participate in the plan and abide by its terms.

3. Subject to subs. 2 and 4 to 8, the preferred provider plan shall pay for covered health care services obtained under subd. 1. The plan shall provide that the total payment made to a provider not selected by the plan shall be any amount agreed to by that provider, if the amount is less than the total payment that would be made under the plan for comparable services performed by a provider selected by the plan. The plan may not require that the total payment shall be less than the total payment that would be made under the plan for comparable services performed by a provider selected by the plan if the lesser payment is unacceptable to the provider not selected by the plan.

~~4. Subject to subd. 7, the preferred provider plan may require a person obtaining services under subd. 1 to pay, in addition to any applicable deductible, up to:~~

Vetoed  
in Part

~~a. Twenty percent of the total payment to be made to the provider not selected by the plan, if the payment is not less than the payment that would be made for comparable services performed by a provider selected by the plan.~~

**Vetoed  
in Part**

~~b. At least 15% of the total payment to be made to the provider not selected by the plan but not more than an amount equal to the total payment to be made to the provider not selected by the plan minus 30% of the total payment that would be made under the plan for comparable services performed by a provider selected by the plan, if the payment is less than the payment that would be made for comparable services performed by a provider selected by the plan.~~

5. Notwithstanding subd. 4 but subject to subd. 7, the preferred provider plan may require a person obtaining covered hospital services under subd. 1 to pay, in addition to any applicable deductible, up to 20% of the total payment to be made to the provider not selected by the plan.

**Vetoed  
in Part**

6. Notwithstanding subds. 4 and 5, the amount a person enrolled in a preferred provider plan may be required to pay to a provider selected by the plan with respect to consultation regarding surgery shall be the most the person may be required to pay a provider not selected by the plan for additional consultation regarding surgery.

7. A preferred provider plan may require that, if a person enrolled in the plan receives health care services from providers not selected by the plan, the person shall pay, in addition to any applicable premium or deductible, an amount determined by the commissioner which may not be more than \$2,500 per year for individual coverage nor more than \$5,000 per year for family coverage.

**Vetoed  
in Part**

~~8. A deductible applicable to covered health care services obtained under subd. 1 may not be greater than the applicable deductible for comparable covered health care services performed by a provider selected by the preferred provider plan.~~

(f) The commissioner shall adopt rules applicable to preferred provider plans which:

1. Ensure that patients are not forced to travel excessive distances to receive services.
2. Ensure that continuity of patient care is not disrupted.
3. Define substantially equivalent benefits for purposes of par. (d).

4. Ensure that employees offered a choice of health care plans under par. (d) are given adequate notice of the opportunity to choose among plans and complete and understandable information on the differences among plans, the providers available under the plans and any special limitations or requirements imposed by an institutional provider because of its affiliation with a religious organization.

5. Determine the amounts under par. (e) 7.

(g) This subsection does not prevent a person other than an insurer from establishing or operating a preferred provider plan.

**Vetoed  
in Part**

~~(h) Section 632.87 controls in the event of a conflict with this subsection.~~

(i) This subsection does not apply to a plan sponsored by a health maintenance organization as defined in sub. (2m) (a).

(2m) HEALTH MAINTENANCE ORGANIZATIONS. (a) In this subsection, "health maintenance organization" means an organization, other than a federally qualified health maintenance organization, organized under the laws of this state, except ch. 185, and which makes available to enrolled participants, in consideration of periodic fixed payments, comprehensive health care services provided by providers selected by the organization and who are employees or partners of the organization or who have entered into a referral or contractual arrangement with the organization.

(b) Subject to chs. 600 to 646, except sub. (2) (b), any person may establish or operate a health maintenance organization.

(c) Subject to conditions of the health care plan, any person may elect to enroll in a health care plan as defined in sub. (2) (a) 1 which is sponsored by a health maintenance organization.

(d) An employer may offer its employees a health care plan as defined in sub. (2) (a) 1 which is sponsored by a health maintenance organization if it also offers at least one open panel plan as defined in sub. (2a) (a) 2 which provides at least substantially equivalent benefits. The employer shall give its employees the opportunity to choose between the plans at least once annually, adequate notice of the opportunity to choose between the plans and complete and understandable information regarding the differences between the plans. The commissioner may by rule determine what constitutes adequate advance notice and complete and understandable information.

SECTION 1744g. 628.36 (3) of the statutes is amended to read:

628.36 (3) EXEMPTION BY RULE. By rule the commissioner may exempt from the application of any part of subs. (1) ~~and (2) to (2m)~~ plans which provide innovative approaches to the delivery of health care or which are designed to contain health care costs, and which cannot operate successfully consistent with all of the provisions in subs. (1) ~~and (2) to (2m)~~. The commissioner may promulgate such a rule only if on a finding that the interests of the public require such ~~innovations either plans~~ as an experiment ~~or~~ to supply health care services that are not otherwise available in adequate quantity or quality, or to contain health care costs. The promulgated rule shall be as narrow as is compatible with the success of the plans.

SECTION 1744h. 632.75 (4) of the statutes is amended to read:

632.75 (4) OUT-OF-STATE SERVICE PROVIDERS. Except as provided in s. ~~632.86~~ 628.36, no disability insurance policy may exclude or limit coverage of health care services provided outside this state, if the services are provided within 75 miles of the insured's residence in a facility licensed or approved by the state where the facility is located.

SECTION 1744i. 632.75 (5) of the statutes is created to read:

632.75 (5) PAYMENTS FOR HOSPITAL SERVICES. No insurer may reimburse a hospital for patient health care costs at a rate exceeding the rate established under ch. 54 or s. 146.60.

SECTION 1744k. 632.86 of the statutes is repealed.

SECTION 1744n. 632.87 of the statutes is amended to read:

**632.87 Restrictions on health care services.** (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that ~~they the services~~ were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, ~~but no contract or plan may exclude services in violation of sub. (3).~~

Vetoed  
in Part

(2) No insurer may, under a contract or plan covering vision care services or procedures, refuse to provide coverage for vision care services or procedures provided by an optometrist licensed under ch. 449 within the scope of the practice of optometry, as defined in s. 449.01 (1), if the contract or plan includes coverage for the same services or procedures when provided by another health care provider.

SECTION 1744o. 632.87 (3) and (4) of the statutes are created to read:

632.87 (3) (a) No insurer may refuse to provide or pay for benefits under a policy, plan or contract for any diagnostic or treatment service or procedure by a licensed chiropractor within the scope of the chiropractor's professional license, if the policy, plan or contract would cover the same or a similar service or procedure when performed by a licensed physician or osteopath, even though different nomenclature is used to describe the service or procedure and its effects on the patient.

Vetoed  
in Part

(b) This subsection does not:

**Vetoed  
in Part**

1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis in any contract of health insurance.
2. Require a contract of health insurance, under which the coverage of physician's services is limited to surgical benefits only, to provide coverage for physician or chiropractic services of a nonsurgical nature.
3. Require a contract of health insurance, under which the coverage of physician's services is limited to services provided to a registered bed patient in a hospital only, to provide coverage for physician or chiropractic services rendered to a person who is not a registered bed patient in a hospital.
- (4) (a) In this subsection, "health care plan" has the meaning given under s. 628.36 (2) (a) 1.
- (b) A person covered under a health care plan requiring selection of a primary provider is entitled to receive chiropractic care required by sub. (3).
- (c) 1. A health care plan which limits participation in it to providers selected by the health care plan, but which does not provide chiropractic care through an employee who is a licensed chiropractor, shall select one or more licensed chiropractors and provide for referral to and coverage of diagnosis and treatment by one or more licensed chiropractors.
2. A health care plan which does not limit participation in it to providers selected by the health care plan shall provide for referral to and coverage of diagnosis and treatment by an insured's choice of licensed chiropractor.

SECTION 1744p. 632.89 (2) (b) 2 of the statutes is amended to read:

632.89 (2) (b) 2. On or after January 1, 1981, no contract issued or renewed by an insurer may limit insurance coverage of any service provided by a state or county owned or operated inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86, unless the contract similarly limits coverage of the service if provided by any other inpatient health care facility or community-based residential facility.

SECTION 1744r. 632.89 (2m) of the statutes is amended to read:

632.89 (2m) LIABILITY TO THE STATE OR COUNTY. For any insurance policy issued on or after January 1, 1981, any insurer providing hospital treatment coverage is liable to the state or county for any costs incurred for services a state or county owned or operated inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86, provides to a patient regardless of the patient's liability for the services, to the extent that the insurer is liable to the patient for services provided at any other inpatient health care facility or community-based residential facility.

SECTION 1744t. 632.897 (1m) of the statutes is created to read:

632.897 (1m) This section applies to any group policy which would otherwise be exempt under s. 600.01 (1) (b) 3 if at least 150 of the certificate holders or insureds are residents of this state.

SECTION 1744u. 632.897 (6) of the statutes is amended to read:

632.897 (6) If the terminated insured elects to continue group coverage as provided in this section, the insurer may require conversion to individual coverage by the terminated insured and his or her spouse and dependents ~~12~~ 18 months after the terminated insured elects the group coverage. The conditions, rights and procedures governing conversion under sub. (4) (a) apply to this conversion.

SECTION 1745. 655.03 (3) (c) of the statutes is amended to read:

655.03 (3) (c) *Compensation of panel members.* Each person appointed to a panel under this section shall be paid \$75 for each day's actual attendance at a panel meeting plus actual and necessary travel expenses. In addition, each panel chairperson shall receive \$35 per hour for office work required to administer the panel.

~~SECTION 1745m. 655.23 (1) and (4) of the statutes are amended to read:~~

~~655.23 (1) All health care providers permanently practicing or operating in this state shall pay the yearly assessment into the patients compensation fund fee required under s. 655.27 (3).~~

~~(4) Such health care liability insurance or cash or surety bond shall be in amounts of at least \$100,000 per claim and \$300,000 per year, except that health care liability insurance or cash or surety bond covering a podiatrist licensed under ch. 448 shall be in amounts of at least \$1,000,000 per claim and \$1,000,000 per year for a surgical podiatrist and at least \$200,000 per claim and \$600,000 per year for a nonsurgical podiatrist.~~

Vetoed  
in Part

~~SECTION 1745n. 655.27 (1) of the statutes is amended to read:~~

~~655.27 (1) FUND. There is created a patients compensation fund for the purpose of paying that portion of a medical malpractice claim which is in excess of the limit expressed in s. 655.23 (5) and paying future medical expense periodic payments under s. 655.015. The fund shall provide occurrence coverage for health care providers permanently practicing or operating in this state. The fund shall be liable only for payment of claims against health care providers permanently practicing or operating in this state who have complied with this chapter and are not exempt under sub. (3) (e) from payment of fees, for payment of reasonable and necessary expenses incurred in payment of claims and for payment of fund administrative expenses. The coverage provided by the fund shall begin July 1, 1975, and run thereafter on a fiscal year basis.~~

SECTION 1746. 655.27 (2) of the statutes is amended to read:

655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall be vested with the board of governors under s. 619.04 (3). The commissioner shall either provide staff services necessary for the operation of the fund or, with the approval of the board of governors, contract for all or part of these services. Such a contract is subject to s. 16.765, but is otherwise exempt from subch. IV of ch. 16. The commissioner shall adopt rules governing the procedures for creating and implementing these contracts before entering into the contracts. At least annually, the contractor shall report to the commissioner and to the board of governors regarding all expenses incurred and subcontracting arrangements. If the board of governors approves, the contractor may hire legal counsel as needed to provide staff services. The cost of contracting for staff services shall be funded from the appropriation under s. 20.145 (2) (u).

~~SECTION 1746m. 655.27 (3) (a) (intro.) of the statutes is amended to read:~~

~~655.27 (3) (a) Fees. (intro.) Each Except as provided in par. (c), each health care provider permanently practicing or operating in this state shall pay operating fees to the department or the commissioner for deposit into the fund in a manner prescribed by them by rule. The operating fees shall be assessed based on the following considerations:~~

Vetoed  
in Part

~~SECTION 1746n. 655.27 (3) (e) of the statutes is created to read:~~

~~655.27 (3) (e) Podiatrists exempt. Podiatrists licensed under ch. 448, partnerships comprised of licensed podiatrists and corporations owned by licensed podiatrists and providing medical services are exempt from payment of fees imposed under this subsection.~~

SECTION 1747. 753.075 (3) (a) of the statutes is amended to read:

753.075 (3) (a) Temporary reserve judges shall receive a per diem of \$125 \$150 and while serving outside the county in which they reside shall also receive actual and necessary expenses incurred in the discharge of judicial duties. This per diem compensation is not subject to s. 40.26 or subch. VIII of ch. 40 but the combined amount of this compen-

sation and any other judicial compensation together with retirement annuities under the Wisconsin retirement system, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds or social security received by him or her during any one calendar year shall not exceed the yearly compensation of a circuit judge. The per diem compensation and actual and necessary expenses shall be paid from the appropriation under s. 20.625 (1) (a) when the judge is assigned to a circuit court and from the appropriation under s. 20.660 (1) (a) when the judge is assigned to the court of appeals.

SECTION 1747m. 755.18 of the statutes is created to read:

**755.18 Municipal judge training.** (1) Municipal judges shall participate in a program of continuing judicial education as required by the supreme court.

(2) Municipalities shall bear the cost of programs under sub. (1) provided by the court. All moneys collected by the supreme court under this section shall be deposited in s. 20.680 (2) (i).

SECTION 1749m. 757.65 of the statutes is repealed.

SECTION 1750g. 757.83 (1) of the statutes is amended to read:

757.83 (1) MEMBERSHIP; APPOINTMENT; TERMS. (a) There is created a judicial commission of 9 members: 5 nonlawyers nominated by the governor and appointed with the advice and consent of the senate; one trial judge of a court of record and one court of appeals judge appointed by the supreme court; and 2 members of the state bar of Wisconsin, who are not judges, appointed by the supreme court. The commission is attached to the ethics board under s. 15.03. The commission shall elect one of its members as chairperson.

(b) The term of a member is 3 years, but a member shall not serve more than 2 consecutive full terms. A vacancy is filled by the appointing authority for the unexpired term. Members of the commission shall receive ~~no~~ compensation, but of \$25 per day for each day on which they were actually and necessarily engaged in the performance of their duties and shall be reimbursed for expenses necessarily incurred as members of the commission.

SECTION 1750m. 757.83 (4) of the statutes is amended to read:

757.83 (4) STAFF. ~~The administrator appointed under s. 19.47 (2) shall serve as executive director of the judicial commission shall hire an executive director in the unclassified service. The executive director shall be a member of the state bar. The judicial commission may hire additional support staff, within budgetary limitations, in the unclassified service.~~

SECTION 1750p. 757.94 of the statutes is amended to read:

**757.94 Privilege; immunity.** (1) A complaint or communication alleging judicial misconduct or disability with the commission, ~~commission executive director~~, staff appointed under s. 19.47 (2) or panel and testimony in an investigation under this section is privileged.

(2) A presiding judge, executive director or a member of the commission, ~~commission staff appointed under s. 19.47 (2)~~ or panel is immune from civil liability for any conduct in the course of the person's official duties under ss. 757.81 to 757.99.

SECTION 1751. 758.01 of the statutes is renumbered 758.01 (1).

SECTION 1752. 758.01 (2) of the statutes is created to read:

758.01 (2) The supreme court may establish and charge fees for photocopying, microfilm copying, books, computer services and other services provided by the state law library. The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

SECTION 1753. 758.19 of the statutes is renumbered 758.19 (1).

SECTION 1754. 758.19 (2) of the statutes is created to read:

758.19 (2) (a) The director may establish and charge fees for the provision of services or sale of documents concerning any of the following:

1. Uniform court forms.
2. Computer generated special reports of court information data.
3. Photocopies.
4. Pamphlets.

(b) The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

SECTION 1755. 767.08 (title) of the statutes is amended to read:

**767.08 (title) Actions to compel support.**

SECTION 1756. 767.08 (1) and (2) of the statutes are renumbered 767.08 (2) and (3) and amended to read:

767.08 (2) If ~~either spouse~~ a person fails or refuses, ~~without lawful or reasonable excuse,~~ to provide for the support and maintenance of ~~the other~~ his or her spouse or minor children child, the other person's spouse, the person with legal custody of the child or any nonlegally responsible relative may commence an action in any court having jurisdiction in actions ~~for divorce~~ affecting the family to compel the ~~spouse~~ person to provide ~~such~~ any legally required support and maintenance ~~as may be legally required.~~ The court, in the action, shall, after consideration, ~~where appropriate,~~ where appropriate, of the factors enumerated in ss. 767.25 (1m) and 767.26 ~~where appropriate or the income percentage standard under s. 767.25 (1p),~~ determine and adjudge the amount, if any, the ~~spouse~~ person should reasonably contribute to the support and maintenance of the ~~other spouse or children child~~ and how the sum should be paid. This amount may be expressed as a percentage of the person's income or as a fixed sum. The amount so ordered to be paid may be changed or modified by the court upon notice of motion or order to show cause by either ~~spouse~~ party upon sufficient evidence. The determination may be enforced by contempt proceedings, an assignment of income under s. 767.265, or other enforcement mechanisms as provided under s. 767.30. In any such support action there shall be no filing fee or other costs taxable to the ~~other person's spouse, the person with legal custody or the nonlegally responsible relative,~~ but after the action has been commenced and filed the court may direct that any part of or all fees and costs incurred shall be paid by ~~the spouse~~ either party.

(3) If the state or any subdivision thereof furnishes public aid to a spouse or dependent ~~children~~ child for support and maintenance and the spouse, person with legal custody or nonlegally responsible relative fails or refuses to institute an appropriate court action under this chapter to provide for the same, the person in charge of county welfare activities, the county child support agency or the state department of health and social services shall have the same right as the ~~individual spouse, person with legal custody or nonlegally responsible relative~~ to initiate an action under this section, for the purpose of ~~securing reimbursement for support and maintenance furnished and of obtaining continued~~ support and maintenance. ~~The title of the action shall be substantially in the following form: A.B. (Welfare official), on behalf of C.D. (Spouse) v. E.F. (Other spouse)~~ In counties having a population of 500,000 or more, counsel employed by the department of social services, the county child support agency or the department of health and social services shall represent the director or department thereof in any such action and may petition the court to be appointed as guardian ad litem for any minor or incompetent children. The title of the action shall be "In re the support or maintenance of A.B. (Child)".

SECTION 1757. 767.08 (1) of the statutes is created to read:

767.08 (1) In this section:

(a) “Nonlegally responsible relative” means a relative who assumes responsibility for the care of a child without legal custody, but is not in violation of a court order. “Nonlegally responsible relative” does not include a relative who has physical custody of a child during a court-ordered visitation period.

(b) “Relative” means any person connected with a child by consanguinity or direct affinity.

SECTION 1758. 767.15 of the statutes is amended to read:

**767.15 Service on child support agency.** In any action affecting the family in which either party is a recipient of aid under s. 49.19 ~~or 49.45~~, each party, unless represented by a child support agency, shall, either within 20 days after making service on the opposite party of any motion or pleading requesting the court or family court commissioner to order, or to modify a previous order, relating to child support, maintenance or family support, or before filing the motion or pleading in court, serve a copy of the motion or pleading upon the child support agency of the county in which the action is begun. No judgment in any such action shall be granted unless this section is complied with except as otherwise ordered by the court.

SECTION 1759. 767.23 (1) (c) of the statutes is amended to read:

767.23 (1) (c) Requiring either party or both parties to ~~pay~~ make payments for the support of minor children, which payment amounts may be expressed as a percentage of parental income or as a fixed sum.

SECTION 1760. 767.25 (1) (intro.) of the statutes is renumbered 767.25 (1) and amended to read:

767.25 (1) Upon every judgment of annulment, divorce or legal separation, or in rendering a judgment in an action under s. 767.02 (1) (f) or (j) or 767.08, the court may order either or both parents to pay an amount reasonable or necessary for support of a child and shall specifically assign responsibility for payment of medical health care expenses, ~~after considering the guidelines for the determination of child support established by the department of health and social services and considering.~~ The support amount may be expressed as a percentage of parental income or as a fixed sum.

SECTION 1761. 767.25 (1) (a) to (i) of the statutes are renumbered 767.25 (1m) (a) to (i).

SECTION 1762. 767.25 (1m) (intro.) and (1p) of the statutes are created to read:

767.25 (1m) (intro.) Except as provided in sub. (1p), in ordering payment of child support the court shall consider the guidelines for the determination of child support established by the department of health and social services and the following factors:

(1p) In lieu of determining child support payments under sub. (1m), the court may order either or both parents to pay an amount determined by using the percentage standard adopted under s. 767.395 (3).

SECTION 1763. 767.25 (6) of the statutes is created to read:

767.25 (6) A party ordered to pay child support under this section shall pay interest at the rate of 1.5% per month on any amount unpaid, commencing the first day of the first month after the month in which the amount was due. Interest under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8).

SECTION 1764. 767.261 of the statutes is amended to read:

**767.261 Family support.** The court may make a financial order designated “family support” as a substitute for child support orders under s. 767.25 and maintenance payment orders under s. 767.26. A party ordered to pay family support under this section shall pay interest at the rate of 1.5% per month on any amount unpaid, commencing the first day of the first month after the month in which the amount was due. Interest under this section is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8).

SECTION 1765. 767.262 of the statutes is amended to read:

**767.262 Award of attorney's fees.** (1) The court, after considering the financial resources of both parties, may ~~order~~ do the following:

(a) Order either party to pay a reasonable amount for the cost to the other party of maintaining or responding to an action affecting the family and for ~~attorney's attorney~~ fees to either party, ~~including~~.

(b) If one party receives services under s. 46.25 or services provided by the state or county as a result of an assignment of income under s. 49.19, order the other party to pay any fee chargeable under s. 46.25 (6) or the cost of services rendered by the state or county under s. 49.19.

(2) Any amount ordered under sub. (1) may include sums for legal services rendered and costs incurred prior to the commencement of the proceeding or after entry of judgment.

(3) The court may order that the amount be paid directly to the attorney or to the state or the county providing services under s. 46.25 or 49.19, who may enforce the order in ~~his or her~~ its name. ~~The court may not~~

(4) No court may order payment of costs under this section by the state or any county which may be a party to the action.

SECTION 1766ab. 767.265 (title) and (1) of the statutes are amended to read:

**767.265 (title) Assignments.** (1) Each order entered on or after February 1, 1978, for child support under s. 767.23 or 767.25, for maintenance payments under s. 767.23 or 767.26, for family support under s. 767.261, for support by a spouse under s. 767.02 (1) (f) or for maintenance payments under s. 767.02 (1) (g) ~~shall include an order directing the payer to assign and each stipulation for child support under s. 767.10 entered into on or after the effective date of this act (1983), constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108 and other income money due or to be due in the future to the clerk of the court where the action is filed, as will be sufficient to meet the maintenance payments, child support payments or family support payments imposed by the court for the support of the spouse or minor children or both and to defray arrearages in payments due at the time the assignment takes effect. Each order for child support under s. 767.23 or 767.25 may include an order directing the payer to assign benefits under ch. 102 or 108 due or to be due in the future to the clerk of the court where the action is filed, as will be sufficient to meet the child support payments imposed by the court for the support of minor children and to defray arrearages in payments due at the time the assignment takes place. If the payer does not execute an assignment when so ordered, the court or family court commissioner shall execute that assignment. The~~ Except as provided in sub. (2m), the assignment of income shall take effect when the requirement of sub. (2) has been satisfied, or, at the discretion of the court or family court commissioner, may take effect immediately.

SECTION 1766am. 767.265 (1) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

767.265 (1) Each order ~~entered on or after February 1, 1978~~, for child support under s. 767.23 or 767.25, for maintenance payments under s. 767.23 or 767.26, for family support under s. 767.261, for support by a spouse under s. 767.02 (1) (f) or for maintenance payments under s. 767.02 (1) (g) and each stipulation for child support under s. 767.10 ~~entered into on or after the effective date of this act (1983)~~, constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108 and other money due or to be due in the future to the clerk of the court where the action is filed, as will be sufficient to meet the maintenance payments, child support payments or family support payments imposed by the court for the support of the spouse or minor children or both and to defray arrearages in payments due at the time the assignment

Vetoed  
in Part

takes effect. ~~Except as provided in sub. (2m), the~~ The assignment takes effect when the requirement of sub. (2) has been satisfied, or, at the discretion of the court or family court commissioner, may take effect immediately unless the payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the child support obligation or provides sufficient security for payment under the child support order. ~~If the payer so establishes or provides, the assignment shall not take effect until 10 days after the family court commissioner sends a notice by certified mail to the last-known address of the payer notifying the payer that within 10 days an assignment shall go into effect. The payer may, within that 10-day period, request a hearing on the issue of whether the assignment should take effect, in which case the assignment shall be held in abeyance pending the outcome of the hearing. The family court commissioner shall hold a hearing requested under this section within 10 working days after the date of the request. If at the hearing the payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the maintenance payment or child support obligation, the family court commissioner may direct that the assignment not take effect immediately.~~

SECTION 1766b. 767.265 (1m) of the statutes is amended to read:

767.265 (1m) Any ~~spouse~~ person who is entitled to a payment of support which has been ordered prior to February 1, 1978, by the court or family court commissioner under s. 767.23, 767.25, 767.26 or 767.261 may apply to the court or court commissioner for an income assignment under sub. (1). Upon receipt of the application, the court or family court commissioner shall order the payer to execute an income assignment. ~~If the payer does not execute an assignment when so ordered, the court or family court commissioner shall execute that assignment.~~ Except as provided in sub. (2m), the court or family court commissioner may order the income an assignment to take effect immediately or after the requirements of sub. (2) are satisfied.

SECTION 1766c. 767.265 (1m) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 1766d. 767.265 (2) of the statutes is amended to read:

767.265 (2) ~~The~~ If the court or family court commissioner orders that an assignment under sub. (1) or (1m) shall take effect after the requirements of this subsection are satisfied, the family court commissioner, upon his or her own motion or upon application of the person receiving entitled to receive payments, shall send a notice by certified mail to the last-known address of any payer who has failed to make a required maintenance payment or child support payment within 20 10 days of its due date. The notice shall be postmarked no later than 10 days after the date on which the application was filed and shall inform the recipient that an assignment of his or her income shall go into effect 10 days after the date on which the notice was sent. The payer may, within that 10-day period, request a hearing on the issue of whether the income assignment should take effect, in which case the income assignment shall be held in abeyance pending the outcome of the hearing. The family court commissioner shall hold a hearing requested under this section within 10 working days after the date of the request. If at the hearing the payer establishes that extraordinary circumstances prevented fulfillment of the maintenance payment or child support obligation and that such circumstances are beyond the control of the payer, the family court commissioner may direct that the income assignment not take effect until such time, within 12 months, as another month's payment is missed. If such a delay is granted, the income assignment shall, upon application, go into effect if, within the following 12 months, the payer fails to make in full any payment within 20 days of its due date. Either party may, within 15 working days of the date of the decision by the family court commissioner under this section, seek review of the decision by the court with jurisdiction over the action.

SECTION 1766e. 767.265 (2) of the statutes, as affected by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 1766f. 767.265 (2m) of the statutes is created to read:

767.265 (2m) If a court with jurisdiction over a proceeding to obtain child support is located in a county which has entered into an agreement with the department of health and social services under s. 767.395 (5), any assignment of ~~child~~ support under sub. (1) or (1m) takes effect immediately, unless the payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the ~~child~~ support obligation or provides sufficient security for payment under the ~~child~~ support order. ~~If the payer so establishes or provides, the assignment shall not take effect until 10 days after the family court commissioner sends a notice by certified mail to the last known address of the payer notifying the payer that within 10 days an assignment shall go into effect. The payer may, within that 10-day period, request a hearing on the issue of whether the assignment should take effect, in which case the assignment shall be held in abeyance pending the outcome of the hearing. The family court commissioner shall hold a hearing requested under this section within 10 working days after the date of the request. If at the hearing the payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the maintenance payment or child support obligation, the family court commissioner may direct that the assignment not take effect immediately.~~ **Vetoed in Part**

SECTION 1766g. 767.265 (2m) of the statutes, as created by 1983 Wisconsin Act .... (this act), is repealed.

SECTION 1766h. 767.265 (3) of the statutes is amended to read:

767.265 (3) An assignment ~~made in effect~~ under this section ~~shall be is~~ binding upon ~~the any~~ party from whom the payer receives salary, benefits or wages money one week after service upon it of a true copy of the assignment signed by the payer, court or family court commissioner and annexed to a copy of the order, by personal service or by registered or certified mail, until further order of the court. ~~For~~ Except as provided in sub. (3m), for each payment the party from whom the payer receives salary, benefits or wages money shall receive \$1 which shall be deducted from the money to be paid to the payer. Section 241.09 does not apply to assignments under this section. If the party from whom the payer receives salary, benefits or wages money fails to make the assignment after receipt of the ~~true copy of the assignment and~~ order as provided in this section, it may be fined not more than \$200 and may be required to pay the amount assigned to the clerk of the court. ~~An~~ If an employer who receives an assignment under this section fails to notify the clerk of circuit court that an employe has terminated employment within 10 days of that termination, the employer may be fined not more than \$200. No employer may not use such assignments an assignment under this section as a basis for the discharge of an employe or for any disciplinary action against the employe. An employer who discharges or disciplines an employe in violation of this subsection may be fined not more than \$200 and may be required to make full restitution to the aggrieved employe, including reinstatement and back pay. Compliance by the party from whom the payer receives salary, benefits or wages money with the order operates as a discharge of its liability to the payer as to that portion of the payer's commission, earnings, salaries, wages, benefits or other ~~income~~ money so affected.

SECTION 1767. 767.265 (3m) and (5) of the statutes are created to read:

767.265 (3m) Whenever benefits under ch. 108 are assigned under this section, the amount assigned shall be increased by \$1 without court order. The clerk of circuit court receiving the payment shall transfer the \$1 to the department of health and social services, for deposit into the appropriation under s. 20.435 (4) (j), in payment of charges under s. 46.25 (8) relating to the interception of unemployment compensation.

(5) Nothing in this section prevents a court or family court commissioner from ordering a payer to execute an assignment when appropriate.

SECTION 1768. 767.29 (1) of the statutes is amended to read:

767.29 (1) All orders or judgments providing for temporary or permanent maintenance payments or support of children shall direct the payment of all such sums to the clerk of the court for the use of the person for whom the same has been awarded. A party securing an order for temporary maintenance payments or support money shall forthwith file said order, together with all pleadings in the action, with the clerk of the court. Said clerk shall disburse the money so received pursuant to said judgment or order and take receipts therefor. All moneys received or disbursed under this section shall be entered in a record book kept by said clerk, which shall be open to inspection by the department of health and social services for the administration of the child and spousal support and establishment of paternity program under s. 46.25, the parties to the action, and their attorneys, and the family court commissioner. If the maintenance payments or support money adjudged or ordered to be paid shall not be paid to the clerk at the time provided in said judgment or order, the clerk or the family court commissioner of said county shall take such proceedings as either of them deems advisable to secure the payment of such sum including enforcement by contempt proceedings under ch. 785 or by other means. Copies of any order issued to compel such payment shall be mailed to counsel who represented each party when such maintenance payments or support money was awarded. In case any fees of officers in any of said proceedings including the compensation of the family court commissioner at the rate of \$50 per day unless such commissioner is on a salaried basis, be not collected from the person proceeded against, the same shall be paid out of the county treasury upon the order of the presiding judge and the certificate of the clerk of the court.

SECTION 1769. 767.30 of the statutes is repealed and recreated to read:

**767.30 Enforcement of payments ordered.** (1) If the court orders any payment for support or maintenance under s. 767.08, child support, family support or maintenance under s. 767.23, child support under s. 767.25, maintenance under s. 767.26, family support under s. 767.261, attorney fees under s. 767.262 or paternity obligations under s. 767.51, the court may provide that any payment be paid in the amounts and at the times as it considers expedient.

(2) The court may impose liability for any payment listed under sub. (1) as a charge upon any specific real estate of the party liable or may require that party to give sufficient security for payment. However, no such charge upon real estate may become effectual until the order or judgment imposing liability or a certified copy of it is recorded in the office of the register of deeds in the county in which the real estate is situated.

(3) If the party fails to pay a payment ordered under sub. (1) or to give security under sub. (2), the court may by any appropriate remedy enforce the judgment, or the order as if it were a final judgment, including any past due payment and interest. Appropriate remedies include but are not limited to:

- (a) Execution of the order or judgment.
- (b) Contempt of court under ch. 785.
- (c) Money judgment for past due payments.
- (d) Satisfaction under s. 811.23 of any property attached under ch. 811.
- (e) Garnishment under ch. 812.

SECTION 1770. 767.32 (1) of the statutes is amended to read:

767.32 (1) After a judgment providing for child support under s. 767.25, maintenance payments under s. 767.26 or family support payments under s. 767.261, or for the appointment of trustees under s. 767.31 the court may, from time to time, on the petition of either of the parties, or upon the petition of the department of health and social services, a county welfare agency or a child support agency if an assignment has been made under s. 49.19 (4) (h) or 49.45 (19) or if either party or their minor children receives aid under

ch. 49, and upon notice to the family court commissioner, revise and alter such judgment respecting the amount of such maintenance or child support and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any judgment respecting any of the matters which such court might have made in the original action, except that a judgment which waives maintenance payments for either party shall not thereafter be revised or altered in that respect nor shall the provisions of a judgment with respect to final division of property be subject to revision or modification. Any change in child support because of alleged change in circumstances shall take into consideration each parent's earning capacity and total economic circumstances. In any action under this section, receipt of aid to families with dependent children under s. 49.19, or a substantial change in the cost of living by either party or as measured by the federal bureau of labor statistics may be sufficient to justify a revision of judgment, except that a change in an obligor's cost of living is not in itself sufficient if payments are expressed as a percentage of income.

SECTION 1771. 767.33 (1m) of the statutes is created to read:

767.33 (1m) This section applies only to an order under s. 767.23 or 767.25 in which payment is expressed as a fixed sum. It does not apply to such an order in which payment is expressed as a percentage of parental income.

SECTION 1772. 767.395 (1) and (2) of the statutes are renumbered 767.395 (2) and (4) and amended to read:

767.395 (2) The department of ~~health and social services~~ shall submit guidelines for the determination of child support under s. 767.25 ~~(1)~~ (1m) to any appropriate standing committee of the legislature for review prior to implementation.

(4) The department of ~~health and social services~~ shall develop cost of living indices and earnings indices for consideration by courts in ordering adjustments in child support under s. 767.33 (1).

SECTION 1773m. 767.395 (1), (3) and (5) of the statutes are created to read:

767.395 (1) In this section, "department" means the department of health and social services.

(3) The department shall adopt a standard for determining a child support obligation based upon a percentage of the gross income and assets of either or both parents.

(5) (a) The department shall study the relationship between immediately effective wage assignments and increased collection of child support obligations. With respect to this study, the department may:

1. Enter into written agreements with up to 10 counties to require the use of immediately effective wage assignments for child support obligations unless a payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the child support obligation or provides sufficient security for payment under the child support order.

2. Evaluate the cost-effectiveness and efficiency of using a percentage-of-income standard to establish a child support obligation.

3. Contract with any clerk of court for the department to receive and disburse court-ordered child support payments and record all such payments and arrearages in payments.

4. Establish an advisory committee consisting of representatives of various interested organizations, including but not limited to judicial, legal, labor and business organizations.

(b) The department shall submit a report to the presiding officer of each house of the legislature no later than June 30, 1986, on the cost-effectiveness and efficiency of immediately effective wage assignments for child support obligations in the counties with which the department entered into written agreements.

(c) This subsection does not apply after June 30, 1987, or the effective date of the 1987-89 biennial budget act, whichever is later.

SECTION 1773n. 767.50 of the statutes is amended to read:

**767.50 Trial.** ~~Upon the trial of the proceedings~~ The trial shall be divided into 2 parts. The first part shall deal with the determination of paternity and the initial establishment of support. The 2nd part shall deal with custody, visitation and related issues. ~~At the first part of the trial,~~ the main issue shall be whether the alleged or presumed father is or is not the father of the mother's child, but if the child was born to the mother while she was the lawful wife of a specified man there shall first be determined, as provided in s. 891.39, the prior issue of whether the husband was not the father of the child. The trial shall be by jury, unless the defendant waives the right to trial by jury in writing or by statement in open court, on the record, with the approval of the court and the complainant. The court may direct, and if requested by either party, before the introduction of any testimony in the party's behalf, shall direct the jury to find a special verdict as to any of the issues specified in this section except that the court shall make all the findings enumerated in s. 767.51 (2) to (5). If the mother is dead, becomes insane, cannot be found within the jurisdiction or fails to commence or pursue the action, the proceeding does not abate if any of the persons under s. 767.45 (1) makes a motion to continue. The testimony of the mother taken at the pretrial hearing may in any such case be read in evidence if it is competent, relevant and material. The judge may exclude the public from attendance at the trial.

SECTION 1774. 767.51 (2) of the statutes is repealed and recreated to read:

767.51 (2) The judge shall order the clerk of court to file with the state registrar a report showing the name, date and place of birth of the child, the name, date and place of birth of the father and the maiden name of the mother on a form designated by the state registrar. The clerk of court shall collect a \$10 fee and transmit this fee to the state registrar, who shall issue a new certificate as provided in s. 69.336 (1).

SECTION 1775. 767.51 (4) and (5) (intro.) of the statutes are amended to read:

767.51 (4) Support judgments or orders ordinarily shall be for periodic payments which may vary in amount if appropriate. The payment amount may be expressed as a percentage of the parent's income or as a fixed sum. The parent's liability for past support of the child shall be limited to support for the period after commencement of action.

(5) (intro.) ~~It~~ Except as provided in sub. (5m), in determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, a court enforcing the obligation of support shall consider all relevant facts, including but not limited to:

SECTION 1776. 767.51 (5m) of the statutes is created to read:

767.51 (5m) In lieu of determining child support payments under sub. (5), the court may order a parent to pay an amount determined by using the percentage standard adopted under s. 767.395 (3).

SECTION 1776m. 767.52 (2) of the statutes is amended to read:

767.52 (2) Any appointed attorney appearing on behalf of a party in a paternity action shall represent that party in all issues and proceedings relating to the paternity determination, ~~including and the initial establishment of support, but may not represent the party in any proceeding relating to custody and, visitation and or related issues during the proceeding to determine paternity. However, this does not include a custody, visitation or related action which is commenced after the paternity proceeding has ended.~~

SECTION 1777y. 813.015 of the statutes is created to read:

**813.015 Injunctions and other remedies; limitation.** Any court petitioned to grant an injunction, temporary restraining order, stay or other provisional remedy or extraordinary remedy concerning any new metropolitan correctional institution, as defined in s. 46.0435 (1), shall apply the criteria under s. 46.0435 (3).

SECTION 1778. 814.60 (2) (am) of the statutes is created to read:

814.60 (2) (am) Crime victim and witness assistance surcharge imposed by s. 973.045;

SECTION 1778g. 814.61 (1) (a) of the statutes is amended to read:

814.61 (1) (a) At the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, ~~\$40~~ \$45. This includes actions and proceedings commenced by a government unit as defined in s. 108.02 (28).

SECTION 1778i. 814.61 (3) of the statutes is amended to read:

814.61 (3) **THIRD PARTY COMPLAINT.** When any defendant files a 3rd party complaint, the defendant shall pay a fee of ~~\$30~~ \$35. The defendant shall pay only one such ~~\$30~~ \$35 fee in an action. Of the fees received by the clerk under this subsection, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 1778k. 814.61 (7) of the statutes is amended to read:

814.61 (7) **REVISION OF JUDGMENT IN ACTION AFFECTING THE FAMILY.** Upon the filing of any petition under s. 767.32 (1) or any motion, by either party, for the revision of a judgment in an action affecting the family, ~~\$20~~ \$25. Of the fees received by the clerk under this subsection, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 1778n. 814.61 (8) (a) 1 and 2 of the statutes are amended to read:

814.61 (8) (a) 1. If the appeal or review is by certiorari or on the record, ~~\$25~~ \$30.

2. If a new trial is authorized and requested, ~~\$40~~ \$45.

SECTION 1778r. 814.62 (1) of the statutes is amended to read:

814.62 (1) **GARNISHMENT ACTIONS.** The fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (4) (b), is ~~\$10~~ \$12. Of the fees received by the clerk under this subsection, the county treasurer shall pay 50% to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county.

SECTION 1778v. 814.62 (3) (a) and (b) of the statutes are amended to read:

814.62 (3) (a) In a small claims action under ch. 799, at the time of issuance of a summons or other process in a proceeding not commenced by a summons, the plaintiff shall pay to the clerk of court a fee of ~~\$10~~ \$12.

(b) If a counterclaim or cross complaint is filed, which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim and which is beyond the limitations of s. 799.01, the person filing the same shall pay a fee of ~~\$30~~ \$35, and the entire matter shall be tried using the procedure under chs. 801 to 847.

SECTION 1780. 881.01 (intro.) of the statutes is amended to read:

**881.01 Investment; prudent person rule.** (intro.) ~~Personal~~ Except as provided in ss. 25.15 and 25.17 (2) (c), personal representatives, guardians and trustees may invest the funds of their trusts in accordance with the provisions pertaining to investments contained in the instrument under which they are acting, or in the absence of any such provision, then within the limits of the following standards:

SECTION 1781. 893.82 (1) of the statutes is renumbered 893.82 (3) and amended to read:

893.82 (3) No civil action or civil proceeding may be brought against any state officer, employe or agent for or on account of any act growing out of or committed in the course of the discharge of the officer's, employe's or agent's duties, unless within 120 days of the event causing the injury, damage or death giving rise to the civil action or civil proceeding, the claimant in the action or proceeding serves upon the attorney general written notice of a claim stating the time, date, location and the circumstances of the event giving rise to the claim for the injury, damage or death and the names of persons involved, including the name of the state officer, employe or agent involved. A specific denial by the attorney general is not a condition precedent to bringing the civil action or civil proceeding.

SECTION 1782. 893.82 (1) of the statutes is created to read:

893.82 (1) (a) The purposes of this section are to:

1. Provide the attorney general with adequate time to investigate claims which might result in judgments to be paid by the state.
2. Provide the attorney general with an opportunity to effect a compromise without a civil action or civil proceeding.
3. Place a limit on the amounts recoverable in civil actions or civil proceedings against any state officer, employe or agent.

(b) The provisions of this section shall be liberally construed to effectuate this intent.

SECTION 1783. 893.82 (2) of the statutes is amended to read:

893.82 (2) In this section, ~~"claimant"~~:

(b) "Claimant" means the person or entity sustaining the damage or injury or his or her agent, attorney or personal representative.

SECTION 1784. 893.82 (2) (a) and (c) of the statutes are created to read:

893.82 (2) (a) "Civil action or civil proceeding" includes a civil action or civil proceeding commenced or continued by counterclaim, cross claim or 3rd-party complaint.

(c) "Damage" or "injury" means any damage or injury of any nature which is caused or allegedly caused by the event. "Damage" or "injury" includes, but is not limited to, any physical or mental damage or injury or financial damage or injury resulting from claims for contribution or indemnification.

SECTION 1785. 893.82 (3) of the statutes is renumbered 893.82 (5) and amended to read:

893.82 (5) The notice under sub. ~~(4)~~ (3) shall be sworn to by the claimant and shall be served upon the attorney general at his or her office in the capitol by certified mail. Notice shall be considered to be given upon mailing for the purpose of computing the time of giving notice.

SECTION 1786. 893.82 (4) of the statutes is renumbered 893.82 (6) and amended to read:

893.82 (6) The amount recoverable by any person or entity for any damages, injuries or death in any civil action or civil proceeding against a state officer, employe or agent, including any such action or proceeding based on contribution or indemnification, shall not exceed \$250,000. No punitive damages may be allowed or recoverable in any such action.

SECTION 1787. 893.82 (4) of the statutes is created to read:

893.82 (4) (a) Except as provided in par. (b), if the civil action or proceeding under sub. (3) is based on contribution or indemnification, the event under sub. (3) is the underlying cause of action, not the cause of action for contribution or indemnification, and the 120-day limitation applies to that event.

(b) 1. If the claimant under par. (a) establishes that he or she had no actual or constructive knowledge of the underlying cause of action at the time of the event under sub. (3), the 120-day limitation under sub. (3) applies to the earlier of the following:

a. The date the cause of action for contribution or indemnification accrues.

b. The date the claimant acquired actual or constructive knowledge of the underlying cause of action.

2. The claimant has the burden of proving he or she had no actual knowledge of the underlying cause of action under this paragraph.

SECTION 1790b. 895.60 of the statutes is created to read:

**895.60 Health insurance for public employes.** (1) **DEFINITION.** In this section, "public employer" means a school district; vocation, technical and adult education district; or a city, village, town or county government.

(2) **CONTINUATION AND CONVERSION OPTIONS FOR LAID OFF EMPLOYES.** Each public employer having an insured or uninsured health care benefit plan shall offer its employes the same continuation and conversion rights required under s. 632.897. A public employer who fails to comply with this requirement by January 1, 1984, or upon expiration of any applicable collective bargaining agreement, whichever occurs later, or who fails to remain in compliance with this requirement during any calendar or fiscal year beginning after the point of initial applicability of the requirement shall be subject to an aid penalty under sub. (4) in the calendar or fiscal year following the period of noncompliance.

(3) **MULTIPLE CHOICE OF HEALTH INSURANCE PLANS.** Each public employer having an insured or uninsured health care benefit plan with the equivalent of 250 or more employes shall offer to its employes at least 2 health care coverage plans providing substantially equivalent medical and hospital benefits, including a health maintenance organization or a preferred provider organization, both as defined by the commissioner of insurance, if the department of health and social services determines that those organizations are available in the area of the place of employment. A public employer who fails to comply with this requirement by July 1, 1985, or upon expiration of any applicable collective bargaining agreement, whichever occurs later, or who fails to remain in compliance with this requirement for calendar or fiscal years beginning after the point of initial applicability of the requirement shall be subject to an aid penalty under sub. (4) in the year following the period of noncompliance.

(4) **PENALTIES.** (a) For a town, village, city or county, the aid computed under subch. I of ch. 79 shall be reduced by 5%.

(b) For a school district, the sum of aid computed under chs. 115 and 121 shall be reduced by 5%.

(c) For a vocational, technical and adult education district, the aid computed under s. 38.28 shall be reduced by 5%.

(5) **DOUBLE PENALTIES.** A public employer may be subject to penalties for violations under both subs. (2) and (3) in the same year, in which case the applicable aid reduction equals 10%.

(6) **DETERMINATION AND CERTIFICATION.** The department of health and social services shall determine and certify, in a timely manner, to the departments of revenue and public instruction and the state board of vocational, technical and adult education, those public employers subject to an aid penalty under this section. The department of health and social services shall adopt rules necessary to implement this section.

SECTION 1790d. 940.291 of the statutes is created to read:

**940.291 Law enforcement officer; failure to render aid.** (1) Any peace officer, while acting in the course of employment or under the authority of employment, who intentionally fails to render or make arrangements for any necessary first aid for any person in

his or her actual custody is guilty of a Class A misdemeanor if bodily harm results from the failure. This subsection applies whether the custody is lawful or unlawful and whether the custody is actual or constructive. A violation for intentionally failing to render first aid under this subsection applies only to first aid which the officer has the knowledge and ability to render.

(2) Any peace officer who knowingly permits another person to violate sub. (1), while acting in the course of employment or under the authority of employment, is guilty of a Class A misdemeanor.

SECTION 1790e. 944.15 (2) of the statutes, as affected by 1983 Wisconsin Act 17, is amended to read:

944.15 (2) Whoever has sexual intercourse in public or whoever has sexual intercourse with a minor who is 16 years old or older but younger than 18 years old and who is not his or her spouse is guilty of a Class ~~E felony~~ A misdemeanor.

SECTION 1790g. 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of enforcing rights under s. 950.04 and providing services under s. 950.05 shall be paid for by the county, but the county is eligible to receive reimbursement from the state for the costs incurred in providing services under s. 950.05 (1). For costs incurred on or after January 1, 1982, the county is eligible to receive funding from the state for not more than 90% of the costs incurred in providing services under s. 950.05 (1). The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse the counties from the ~~appropriation~~ appropriations under s. 20.455 (5) (c) and (g) on a semiannual basis for services provided ~~on or after May 1, 1984~~. If a county has a program plan approved after the effective date of this subsection (1983), the department may reimburse the county only for services provided on or after January 1, 1984.

SECTION 1790k. 950.06 (3) of the statutes is amended to read:

950.06 (3) The county board shall provide for the implementation of the county's plan under sub. (4). Two or more counties may submit a joint plan under sub. (4).

SECTION 1790n. 950.06 (4) of the statutes is amended to read:

950.06 (4) If the county seeks reimbursement under sub. (2), the county board shall submit a program plan to the department for its approval ~~not later than 6 months after November 1, 1980~~. The county is eligible for reimbursement under sub. (2) only if the department has approved the plan. The program plan shall describe the level of services to victims and witnesses that the county intends to provide; the personnel or agencies responsible for related administrative programs and individual services; proposed staffing for the program; proposed education, training and experience requirements for program staff and the staff of agencies providing related administrative programs and individual services; the county's budget for implementing the program and other information the department determines to be necessary for its review. The plan shall provide that the district attorney, local law enforcement agencies and the courts shall make available to the person or agency responsible for administering the program all reports or files, except reports or files which are required by statute to be kept confidential, if the reports or files are required by the person or agency to carry out program responsibilities. In August of each year, the county board shall submit a report to the department on the operation of the plan, including the enforcement of rights under s. 950.04 and the provision of services under s. 950.05.

SECTION 1790p. 950.06 (5) of the statutes is amended to read:

950.06 (5) The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under s. 20.455 (5) (c) and (g) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

SECTION 1791m. 973.045 of the statutes is created to read:

**973.045 Crime victim and witness assistance surcharge.** (1) On or after the effective date of this section (1983), if a court imposes a sentence or places a person on probation, the court shall impose a crime victim and witness assistance surcharge calculated as follows:

- (a) For each misdemeanor offense or count, \$20.
- (b) For each felony offense or count, \$30.

(2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.395 (5). The county treasurer shall then make payment to the state treasurer under s. 59.20 (5) (b).

(3) All moneys collected from crime victim and witness assistance surcharges shall be deposited by the state treasurer as specified in s. 20.455 (5) (g) and utilized under ch. 950.

(4) If an inmate in a state prison has not paid the crime victim and witness assistance surcharge under this section, the department of health and social services shall assess and collect the amount owed from the inmate's wages or other moneys. Any amount collected shall be transmitted to the state treasurer.

SECTION 1792. 973.05 (1) and (2) of the statutes are amended to read:

973.05 (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. 165.87, the crime victim and witness assistance surcharge under s. 973.045, any applicable domestic abuse assessment imposed by s. 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s. 29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, the crime victim and witness assistance surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

(2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the crime victim and witness assistance surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to the payment of the crime victim and witness assistance surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full and shall then be applied to payment of the fine.

SECTION 1793. 973.07 of the statutes is amended to read:

**973.07 Failure to pay fine or costs.** If the fine, costs, penalty assessment, crime victim and witness assistance surcharge, applicable domestic abuse assessment payment, applicable driver improvement surcharge payment, applicable natural resources assessment

or applicable natural resources restitution payment are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, crime victim and witness assistance surcharge, applicable domestic abuse assessment payment, applicable driver improvement surcharge payment, applicable natural resources assessment or applicable natural resources restitution payment are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 1794c. 973.09 (1m) (c) of the statutes is amended to read:

973.09 (1m) (c) The court shall not establish a payment schedule extending beyond the maximum term of probation that could have been imposed for the offense under sub. (2). Payments Except as provided in par. (cm), payments shall be applied first to satisfy the ordered restitution in full, then to pay any fines and related payments under s. 973.05, then to pay costs other than attorney fees and finally to reimburse county or state costs of legal representation.

SECTION 1794d. 973.09 (1m) (cm) of the statutes is created to read:

973.09 (1m) (cm) If a probationer is subject to more than one order under this section and if the financial obligations under any order total \$50 or less, the clerk of court or the department may pay those obligations first.

SECTION 1795c. 973.09 (3) (b) of the statutes is amended to read:

973.09 (3) (b) ~~If restitution has been required, the~~ The clerk or the department, as applicable under sub. (1m), shall notify the sentencing court of the status of the ordered payments unpaid at least 90 days before the probation expiration date. If the clerk is acting under sub. (1m), he or she shall give the department the same notification. If payment as ordered has not been made, the court shall hold a probation review hearing prior to the expiration date, unless the hearing is voluntarily waived by the probationer with the knowledge that waiver may result in an extension of the probation period or in a revocation of probation. A probationer shall not be discharged from probation until ~~the court determines that~~ payment of the ordered restitution, costs, attorney fees, fines and related payments under s. 973.05 has been made or the court determines that there is substantial reason not to continue to require payment.

SECTION 1795e. 973.10 (4) of the statutes is created to read:

973.10 (4) The department shall make either an electronic or stenographic record of all testimony at each probation revocation hearing. The department shall prepare a written transcript of the testimony only at the request of a judge who has granted a petition for judicial review of the revocation decision. Each hearing notice shall include notice of the provisions of this subsection and a statement that any person who wants a written transcript may record the hearing at his or her own expense.

SECTION 1795g. 974.02 (2) of the statutes is amended to read:

974.02 (2) ~~A motion challenging the sufficiency of the evidence is not necessary to raise on appeal the~~ An appellant is not required to file a postconviction motion in the trial court prior to an appeal if the grounds are sufficiency of the evidence or issues previously raised.

SECTION 1799. Laws of 1911, chapter 582, as last affected by laws of 1911, chapter 664, is repealed.

SECTION 1799c. Laws of 1919, chapter 230, section 1 is amended to read:

(Laws of 1919, chapter 230) Section 1. (1) (title) LAND GRANT TO SIMMONS COMPANY. For and in consideration of five hundred dollars all right, title and interest of the state of Wisconsin in and to the lands now and heretofore submerged beneath the waters of Lake Michigan and described as follows: Commencing at that point which is at the intersection of the west line of Lake street (now vacated) in the city of Kenosha, and the dock which is the southerly boundary of Kenosha harbor; thence running easterly along the

dock and government pier a distance of ten hundred and twenty-eight (1028) feet; thence southerly ten hundred and thirty (1030) feet to a point in Lake Michigan which is on the north line of Park street extended into Lake Michigan a distance of eight hundred and sixty and 6/10 (860.6) feet easterly from the intersection of the north line of Park street and the west line of Lake street (now vacated); thence westerly along the northerly line of Park street extended into Lake Michigan a distance of eight hundred and sixty and 6/10 (860.6) feet to the point which is the intersection of the north line of Park street and the west line of Lake street (now vacated); thence northerly along the west line of Lake street (now vacated); to the point of beginning — shall be and hereby is ceded, granted, quitclaimed and conveyed to Simmons Company in fee, except that portion thereof described as the north half of lot number two (2) and all of lot number one (1) in block number one (1); ~~And all.~~

(2) (title) LAND GRANT TO CITY OF KENOSHA. (a) (title) Grant. All right, title and interest of the state of Wisconsin in and to the lands now and heretofore submerged beneath the waters of Lake Michigan and described under paragraph (b) is ceded, granted and conveyed to the city of Kenosha.

(b) (title) Land description. The lands ceded, granted and conveyed under paragraph (a) are described as follows: Commencing at a point on the north line of Park street in the city of Kenosha extended easterly into Lake Michigan which is eight hundred and sixty and 6/10 (860.6) feet easterly of the intersection of the north line of Park street and the west line of Lake street (now vacated); thence southerly a distance of twenty-two hundred and thirty (2230) feet and to a point which is eleven hundred and forty-four and 16/100 (1144.16) feet easterly of the intersection of the east line of Durkee avenue and the south line of certain city park premises known as and called "Eichelman Park;" thence westerly a distance of eleven hundred and forty-four and 16/100 (1144.16) feet along the line last hereinbefore described and to the intersection of the east line of Durkee avenue and the south line of certain city park premises known as and called "Eichelman Park;" thence northerly along the east line of Durkee avenue to the section line running east and west through English court; thence easterly along said section line to a point which is opposite the west line of that part of that street called Durkee avenue north of English court; thence northerly along and following the west line of that part of that street called Durkee avenue which lies north of English court to the intersection of that street called Durkee avenue and Wisconsin street; thence easterly to the intersection of the east line of that street called Durkee avenue and the present dock or breakwater; thence northerly along the line of said breakwater to the intersection of said breakwater and the north line of Park street, said point lying and being in Lake street (now vacated); thence easterly from said last named point along the line of Park street extended into Lake Michigan to the point of beginning — shall be and hereby is ceded, granted, quitclaimed and conveyed to the city of Kenosha in fee, all. All of the premises hereinbefore described under this paragraph, lying and being in the southwest quarter of section number thirty-two (32), in town number two (2) north, of range number twenty-three (23) east and the northwest quarter of section 5 in town 1 north, range 23 east, in the county of Kenosha and to the state of Wisconsin; ~~said premises conveyed to the.~~

(c) (title) Use authorization. The city of Kenosha to be used is authorized to use the lands described under paragraph (b) for public park purposes. The city of Kenosha also is authorized to use the lands described under paragraph (b) as provided under 1983 Wisconsin Act ... (this act), section 2059 (3) (a), (4) (a) and (5).

SECTION 1799d. Laws of 1919, chapter 230, section 2 is repealed.

SECTION 1799e. Laws of 1947, chapter 518, section 3 (new paragraph) is created to read:

(Laws of 1947, chapter 518) Section 3. (new paragraph)

From STH 36	Milwaukee	4.0
northerly over South		
43rd Street to the inter-		
section with STH 15		

SECTION 1799g. Laws of 1947, chapter 518, section 3 (new paragraph) is created to read:

(Laws of 1947, chapter 518) Section 3. (new paragraph)

From the intersection of	Eau Claire	3.5
CTH "T" easterly across the		
Chippewa river to the		
intersection with USH 53		

SECTION 1799m. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by laws of 1981, chapter 20, is amended to read:

(Laws of 1947, chapter 518) Section 3 (approximate mileage).

TOTAL ~~1,020.65~~ 1,024.65

SECTION 1799p. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by laws of 1981, chapter 20, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

(Laws of 1947, chapter 518) Section 3 (approximate mileage).

TOTAL ~~1,024.65~~ 1,028.15

SECTION 1799s. Laws of 1947, chapter 518, section 5, as last amended by laws of 1981, chapter 20, is amended to read:

(Laws of 1947, chapter 518) Section 5. In addition to the mileage specified in SECTION 3, the department of transportation is authorized to add to the state trunk highway system additional mileage to a total of not to exceed 145 miles, making a total addition of not to exceed ~~1,154.48~~ 1,158.48 miles.

SECTION 1799sm. Laws of 1947, chapter 518, section 5, as last amended by laws of 1981, chapter 20, as affected by 1983 Wisconsin Act .... (this act), is amended to read:

(Laws of 1947, chapter 518) Section 5. In addition to the mileage specified in SECTION 3, the department of transportation is authorized to add to the state trunk highway system additional mileage to a total of not to exceed 145 miles, making a total addition of not to exceed ~~1,158.48~~ 1,161.98 miles.

SECTION 1799t. Laws of 1959, chapter 198, sections 1 and 2 are amended to read:

(Laws of 1959, chapter 198) Section 1. (1) (title) LAND GRANT TO CITY OF KENOSHA; GRANT. All the right, title and interest of the state of Wisconsin in and to all lands described under subsection (2) are ceded, granted and conveyed to the city of Kenosha.

(2) (title) LAND DESCRIPTION. The lands ceded, granted and conveyed under subsection (1) are described as follows: All submerged lands in Lake Michigan along and adjacent to the easterly corporate limits of the city of Kenosha between 61st Street extended and the straight line of 45th Street extended into Lake Michigan a distance of 1,300 feet are hereby ceded, granted and confirmed to the city of Kenosha, a municipal corporation.

(3) (title) USE AUTHORIZATION. The city of Kenosha is authorized to use the lands described under subsection (2) for the purpose of improving, filling, and utilizing the same these lands in aid of commercial navigation and the fisheries, and particularly for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities on these lands, together with such other uses not inconsistent with the improvement of commercial navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto to Lake Michigan. The city of Kenosha also is authorized to use the lands

described under subsection (2) as provided under 1983 Wisconsin Act .... (this act), section 2059 (4) (d) and (6) (a).

Section 2. (1) (title) RESTRICTION ON CONVEYANCE. ~~The said grantee, the city of Kenosha, shall may not convey any portion or the whole of the lands so granted, ceded and confirmed described under SECTION 1 (2) to any other party, either by warranty deed, quit claim, or in any other manner, except that it as authorized under subsections (2) to (4).~~

(2) (title) EXCEPTION; LEASE OR CONVEYANCE TO U.S. GOVERNMENT. The city of Kenosha may lease or convey to the government of the United States such that portion thereof of the lands described under SECTION 1 (2) as may be desirable for the promotion of navigation; and it.

(3) (title) EXCEPTION; LEASE OR CONVEYANCE FOR HARBOR FACILITIES. (a) The city of Kenosha may also lease or convey said lands described under SECTION 1 (2) to any harbor authority or other public corporation that may hereafter be organized, under any law of this state, for the purpose of developing, maintaining and operating 30 years, such harbor facilities.

(b) A harbor authority or other public corporation to whom the city of Kenosha leases or conveys lands under paragraph (a) may lease or sublease particular parcels or portions thereof as the board of harbor commissioners may deem expedient, of these lands to private parties desiring to employ such leased portions and parcels in the for the purpose of developing, maintaining, and operating or using of any harbor facilities thereon, but the duration of any lease or sublease entered into by the harbor authority or other public corporation and any private party may not exceed 30 years.

(4) (title) EXCEPTION; LEASE OR CONVEYANCE FOR PUBLIC MARINA AND PROMENADE DEVELOPMENT. (a) The city of Kenosha may lease or convey lands described under 1983 Wisconsin Act .... (this act), section 2059 (4) (e) being a part of the land described under SECTION 1 (2), upon the approval of the governing body of the city of Kenosha, as specified under 1983 Wisconsin Act .... (this act), section 2059 (2) to any harbor authority or other public corporation organized under any law of this state for the purpose of a public marina and promenade development, as defined under 1983 Wisconsin Act .... (this act), section 2059 (1).

(b) A harbor authority or other public corporation to whom the city of Kenosha leases or conveys lands under paragraph (a) may lease or sublease particular parcels or portions of these lands to private parties for the purpose of a public marina and promenade development, as defined under 1983 Wisconsin Act .... (this act), section 2059 (1), but the duration of any lease or sublease entered into by the harbor authority or other public corporation and any private party may not exceed 30 years.

(5) (title) CONTINUED AUTHORIZATION; APPLICABLE TO ALL OR ANY PART OF LANDS. The authority granted to the city of Kenosha to lease or convey lands and the authority granted to a harbor authority or public corporation to lease or sublease lands under subsections (2) to (4) is not exhausted by any particular exercise of that authority but continues in effect and may be exercised from time to time as deemed expedient or desirable. The authority granted to the city of Kenosha to lease or convey lands and the authority granted to a harbor authority or public corporation to lease or sublease lands under subsections (2) to (4) applies to all or any part of the lands referred to in those subsections.

SECTION 1799tm. Laws of 1959, chapter 198, section 3 is repealed.

SECTION 1799v. Laws of 1977, chapter 29, section 1624 is repealed.

SECTION 1799x. Laws of 1977, chapter 29, section 1624e, as amended by laws of 1981, chapter 20, section 1841, is repealed.

SECTION 1799z. Laws of 1979, chapter 34, section 2058 (4) is repealed.

SECTION 1800. Laws of 1979, chapter 219, section 6 (3), as last affected by laws of 1981, chapter 20, section 1847m, is repealed.

SECTION 1802. Laws of 1981, chapter 20, section 2051 (17) is repealed.

SECTION 1803. Laws of 1981, chapter 20, section 2151 (1) is repealed.

SECTION 1803g. Laws of 1981, chapter 86, section 72 (1) (a) is amended to read:

(Laws of 1981, chapter 86) Section 72 (1) (a) The treatment of sections 70.375 (1) (ag), (ai), (am), (ar), (as) and (b), (2), (3) (intro.) and (a), (4) (intro.), (b), (e), (k) (intro.) and (L) to (q), (5) and (6), 70.38 (1), (2) (a) and (b), (3) and (4) (a) and 71.04 (3) of the statutes by this act first applies to taxable year 1981 except that for section 70.375 (2) of the statutes for mines operating on November 28, 1981, the net proceeds of any mine are the average for the preceding 3-year period. The net proceeds for 1979 and 1980 shall be recomputed under this act and shall be used to determine the average for the preceding 3-year period in taxable years 1981 and 1982. Averaging shall be used to taxable year 1990 but may not be used thereafter.

SECTION 1803r. Laws of 1981, chapter 86, section 72 (1) (b) is amended to read:

(Laws of 1981, chapter 86) Section 72 (1) (b) The treatment of sections ~~70.375 (2), 70.395 (1) (a), (b) and (c) and (2) (c) 1, (d) (intro.), 2, 2m, 3, b, 4 and 5, (dg), (e) and (j) and 107.31 (5) (a) 1~~ of the statutes by this act first applies to distributions from mines that begin operations on the effective date of this act. ~~Sections 70.375 (2) and Section 70.395 (1) (a) and (b), 1979 stats., applies until January 1, 1991, to mines in operation on the effective date of this act~~ November 28, 1981, and after that date is void.

SECTION 1803t. Laws of 1981, chapter 241, section 6 is amended to read:

(Laws of 1981, chapter 241) Section 6. **Effective dates.** The repeal of ~~sections section 118.30 and 121.91 (2) (m)~~ of the statutes by this act takes effect July 1, 1988.

SECTION 1803v. Laws of 1981, chapter 317, section 2006 (1) (am), as affected by 1983 Wisconsin Act 16, is amended to read:

(Laws of 1981, chapter 317) Section 2006 (1) (am) In chapter 20, laws of 1981, section 2006 (1) (c), under projects financed by general fund supported borrowing, the amount authorized for the correctional institution under section 46.05 (1n) of the statutes is increased from \$2,700,000 to ~~\$13,600,000~~ \$16,100,000 and the appropriate totals are adjusted accordingly. In addition, the amount authorized may be expended for the correctional institutions under section 46.05 (1n) and (1o) of the statutes.

SECTION 1804. Laws of 1981, chapter 350, section 8 is repealed.

SECTION 1805. Laws of 1981, chapter 350, section 12bh is repealed.

SECTION 1806. Laws of 1981, chapter 350, section 14 (2) is amended to read:

(Laws of 1981, chapter 350) Section 14 (2) The treatment of sections 15.04 (1) (h) (by SECTION 2) and (i) to (m) (by SECTION 4), 15.105 (4) (by SECTION 6), ~~15.107 (9) (by SECTION 8), and 16.61 (title) and (1) (by SECTION 10), (2) (ad), (ah), (ap), (at), (bm) and (cm) and (3) (f) to (q) (by SECTION 12) and 16.62 (title) and (1) (by SECTION 12bh) and (3) (by SECTION 12bt)~~ of the statutes and SECTION 13 (2) of this act by this act takes effect on January 1, 1987.

SECTION 1806m. Laws of 1981, chapter 388, section 5 (1) (c) is amended to read:

(Laws of 1981, chapter 388) Section 5 (1) (c) A state agency that receives an application under paragraph (b) from an employe who is entitled to a retirement annuity under section 40.23 (1) of the statutes shall make from its existing funds a lump sum payment or instalment payments on the employe's behalf to the Wisconsin retirement system under section 40.05 (1) (a) 5 of the statutes. The amount of the payment or payments shall be determined by the department of employe trust funds and shall be sufficient to provide

an annuity for the employe payable for the life of the annuitant with a guarantee of 60 monthly payments, equal to the amount the employe's annuity as determined under section 40.23 (2) (b) 1 of the statutes is reduced pursuant to section 40.23 (2) (d) of the statutes for not more than 36 months. The lump sum payment shall be paid by the state agency no later than the date the state agency makes the first payment under section 40.05 (2) (a) of the statutes in the fiscal year immediately following the employe's annuity effective date or the state agency may make the payment in 3 or fewer equal annual instalments included with the payments under section 40.05 (2) of the statutes during January beginning with the January of the first fiscal year beginning after the employe's annuity date if the employer pays interest, determined by the department of employe trust funds, at the effective rate, based on the amount of the deferred payments and the length of time that each payment is deferred, from the effective date of the annuity until the date of the last instalment payment.

SECTION 1807m. 1983 Wisconsin Act 8, sections 53 (1) and 55 (14) and (15) are amended to read:

(1983 Wisconsin Act 8) Section 53 (1) TEMPORARY PROVISIONS. (a) For purposes of benefit years which begin during the period commencing with the week commencing on January 1, 1984 and ending with the week commencing on May 27, 1984, the text of ~~sections section 108.06 (2m) and 108.141 (4) and (5) (a)~~ of the statutes provided in this ~~subsection paragraph~~ shall be in effect:

"108.06 (2m) Wisconsin supplemental benefits are only available to claimants during a Wisconsin supplemental benefit period. If an extended benefit period ends prior to the end of a claimant's previously established benefit year, any remaining Wisconsin supplemental benefit entitlement, reduced on a week-for-week basis by the number of weeks of extended benefits paid to him or her, shall again be available to the claimant within the remainder of the benefit year only if there is a Wisconsin supplemental benefit period in effect. In this subsection, "extended benefits", "extended benefit period", "Wisconsin supplemental benefits" and "Wisconsin supplemental benefit period" have the meanings given in ss. 108.141 and 108.142."

(b) For purposes of extended benefits payable for weeks of unemployment commencing with the week commencing on September 4, 1983 and ending with the week commencing on May 27, 1984, the text of section 108.141 (4) and (5) (a) of the statutes provided in this paragraph shall be in effect:

"108.141 (4) WEEKLY EXTENDED BENEFIT RATE. The weekly extended benefit rate payable to an individual for a week of total unemployment ~~in his or her eligibility period~~ is an amount equal to the total amount of regular benefits ~~and any Wisconsin supplemental benefits~~ payable to the individual in his or her most recent benefit year, divided by the sum of the number of weeks payable for regular ~~and any Wisconsin supplemental~~ benefits rounded down to the nearest dollar. For this purpose, a payment under s. 108.05 (1m) shall be counted as a week and a half, and a payment under s. 108.05 (3) (a) shall be counted as one-half of a week. If no payment was made, it shall be the weekly benefit rate at which the individual would first have been paid in that benefit year. No adjustment of rates under s. 108.05 (2) applies to benefits ~~payable~~ paid under this section.

(5) (a) Extended benefits are payable to an individual for weeks of unemployment ~~in his or her eligibility period~~ for not more than the least of the amounts determined by multiplying the weekly extended benefit rate by the following number of weeks:

1. One-half of the number of weeks of regular ~~and Wisconsin supplemental~~ benefits which were payable, including benefits canceled pursuant to s. 108.04 (5), to the individual under this chapter in his or her most recent benefit year rounded to the next higher half week if not already a multiple of one-half a week; or

2. Thirteen weeks; or

3. Thirty-nine weeks reduced by the number of weeks of regular benefits ~~and Wisconsin supplemental benefits payable~~ paid or deemed paid to the individual under this chapter in his or her most recent benefit year. Benefits withheld due to the application of s. 108.04 (11) are deemed ~~payable~~ paid for this purpose.”.

Section 55 (14) The repeal of ~~sections section~~ section 108.06 (2m) ~~and 108.141 (4) and (5) (a)~~ of the statutes by this act applies with respect to individuals beginning their extended benefit eligibility on or after the first week commencing in January, 1984.

(15) The treatment of section 108.141 (4), (5) (a) and (7) (a) 3 of the statutes ~~and the creation of section 108.141 (4) and (5) (a) of the statutes~~ by this act applies with respect to extended benefits payable for weeks of unemployment commencing after September 1, 1983.

**SECTION 2001. Nonstatutory provisions; administration.**

(2) WOMEN'S COUNCIL. (a) *Appointment of first members of the women's council.* The first members of the women's council, created under section 15.107 (10) of the statutes by this act, shall be appointed to terms expiring as follows:

1. Three members listed under section 15.107 (10) (b) 2 of the statutes and one member listed under each of section 15.107 (10) (b) 3 to 5 of the statutes shall be appointed for terms to expire July 1, 1985.

2. Three members listed under section 15.107 (10) (b) 2 of the statutes and one member listed under each of section 15.107 (10) (b) 3 to 5 of the statutes shall be appointed for terms to expire July 1, 1984.

3. Two members listed under section 15.107 (10) (b) 6 of the statutes shall be appointed for terms to expire on the expiration dates of their assembly terms.

(b) *Position creation.* 1. The following classified FTE positions are created in the department of administration for the purpose of staffing the women's council, created under section 15.107 (10) of the statutes by this act:

- a. One GPR executive director — administrative officer position.
- b. One GPR program assistant position.
- c. One-half GPR administrative assistant position.

2. The classifications under this paragraph apply unless otherwise determined by the secretary of the department of employment relations under section 230.09 of the statutes.

(c) *Record transfer.* On the effective date of this act, any records of any interim women's council created by executive order issued after January 3, 1983, and before the effective date of this act are transferred to the women's council created by this act.

(3) DIVISION OF HEARINGS AND APPEALS. (a) On the effective date of this subsection, the assets and liabilities of the divisions of natural resources hearings and nursing home appeals of the department of administration shall become the assets and liabilities of the division of hearings and appeals of that department, as created by this act.

(b) All positions and employes of the division of natural resources hearings are transferred on the effective date of this subsection to the division of hearings and appeals.

(c) Notwithstanding sections 230.14, 230.145, 230.15, 230.16, 230.25 and 230.28 of the statutes, the person occupying the position of administrator of the division of natural resources hearings on the effective date of this subsection shall become the administrator of the division of hearings and appeals and is not required to serve a probationary period.

(d) In addition to the positions and employes transferred under paragraph (b), on the effective date of this subsection, the following positions in the division of hearings and appeals are authorized: 1.0 GPR attorney position and 0.5 GPR legal secretary position.

(e) On the effective date of this subsection, all of the positions in the division of nursing home appeals are abolished. However, on the effective date of this subsection, the following program revenue-funded employees in the division of nursing home appeals are transferred to the division of hearings and appeals to fill the corresponding GPR positions authorized under paragraph (d): 1.0 PR attorney and 0.5 PR legal secretary.

(f) Employees transferred to the division of hearings and appeals have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the division of hearings and appeals which they enjoyed in the divisions of natural resources hearings and nursing home appeals immediately prior to the transfer.

(g) All furniture, equipment, supplies and records of the divisions of natural resources hearings and nursing home appeals are transferred to the division of hearings and appeals.

(h) All contracts entered into by the divisions of natural resources hearings and nursing home appeals in effect on the effective date of this subsection remain in effect and are transferred to the division of hearings and appeals. The division of hearings and appeals shall carry out any such contractual obligations.

(i) All rules adopted and orders issued by the divisions of natural resources hearings and nursing home appeals in effect on the effective date of this subsection shall remain in effect until their specified expiration date or until modified or rescinded by the administrator of the division of hearings and appeals acting under the authority granted by this act.

(j) Any matter pending with either the division of natural resources hearings or the division of nursing home appeals on the effective date of this subsection is transferred to the division of hearings and appeals and all materials submitted to or actions taken by those divisions with respect to the pending matter are deemed to have been submitted to or taken by the division of hearings and appeals.

(k) The division of hearings and appeals may collect any amount payable under the statutes prior to the effective date of this subsection for the costs of materials, activities or services provided by the divisions of natural resources hearings and nursing home appeals, and the amounts collected shall be credited to the appropriation under section 20.505 (4) (f) of the statutes.

(4) PAYROLL-PERSONNEL MANAGEMENT SYSTEM. Of the moneys appropriated to the department of administration under section 20.505 (1) (a) of the statutes for the 1983-84 fiscal year, the amount of \$268,000 provided for development of a payroll and personnel management system may not be encumbered or expended until the secretary of administration submits a specific proposal for development of a system to the joint committee on finance and the committee approves or declines to review the proposal under this subsection. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal within 14 working days after the date of the secretary's notification, the moneys may be encumbered and expended. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal, the moneys may be encumbered or expended only upon approval of the committee.

(5) HIGHER EDUCATIONAL AIDS BOARD POSITIONS REPORT. The department of administration shall submit a report to the joint committee on finance on the governor's recommendations for positions in the higher educational aids board. The report shall be submitted by the date of the committee's meeting, under section 13.10 of the statutes, in September 1983. The report shall include an examination of the feasibility of contracting for certain functions of the higher educational aids board, including lender servicing and loan collection, in order to improve operations and reduce staffing requirements.

(6) **EMPLOYMENT RELATIONS PAYROLL AND PERSONNEL MANAGEMENT SYSTEMS MODIFICATIONS.** Of the amounts appropriated under section 20.505 (1) (a) of the statutes, a total of \$150,000 may be used in fiscal year 1984-85 for modification of those payroll and personnel management systems of the department of employment relations known as the roster system, the limited term employe system and the affirmative action information system, except that no such expenditure may be made without approval of the joint committee on finance after receipt and consideration of a report from the department of administration regarding the amounts necessary to modify each system and the relationship of each system to a payroll and personnel management system developed and maintained by the department of administration.

(7) **WISCONSIN HIGHER EDUCATION GRANTS.** If the department of administration determines that the appropriation under section 20.235 (1) (m) of the statutes for fiscal year 1982-83 is insufficient to fund the Wisconsin higher education grant program in that fiscal year, the department may incur an overdraft in that appropriation for the 1982-83 fiscal year.

(8) **DIRECTOR AND STAFF ASSISTANT OF FEDERAL-STATE RELATIONS OFFICE.** The director and staff assistant of the federal-state relations office of the department of administration on the effective date of this act may continue to hold those positions until removed under section 16.548 of the statutes, as affected by this act.

**SECTION 2002. Nonstatutory provisions; agriculture, trade and consumer protection.**

(1) **GROUNDWATER PROTECTION STANDARDS APPROPRIATION.** Of the amounts in the schedule for the appropriation under section 20.115 (1) (a) of the statutes, \$50,500 for fiscal year 1984-85 may not be expended until the department of agriculture, trade and consumer protection requests the release of these moneys, the joint committee on finance determines that legislation for the development of groundwater protection standards has been enacted and the joint committee on finance approves the expenditure acting under section 13.10 of the statutes.

(2) **EROSION CONTROL COST-SHARE ALLOCATION PLAN.** The department of agriculture, trade and consumer protection shall develop an erosion control cost-share allocation plan for the erosion control program funding under section 92.10 (3) (d) of the statutes. The department of agriculture, trade and consumer protection shall submit the erosion control cost-share allocation plan to the governor and to the joint committee on finance for review and approval prior to the release of cost-share funding under section 13.10 of the statutes.

**SECTION 2005. Nonstatutory provisions; building commission; authorized state building program.**

(1) For the 1983-85 fiscal biennium, the state building program shall be as follows:

(a) Department of administration - state office facilities	
Projects financed by general fund supported borrowing:	
Capitol restoration	\$ 3,000,000
Purchase 149 E. Wilson St. office building	<u>1,000,000</u>
Total general fund supported borrowing	\$ 4,000,000
(b) Educational communications board	
Projects financed by building trust funds/ capital improvement fund earnings:	
Minor projects	<u>\$ 140,000</u>
Total building trust funds/ capital improvement fund earnings	\$ 140,000

(c)	Department of health and social services	
	Projects financed by building trust funds/ capital improvement fund earnings:	
	Minor projects	\$ 631,300
	(total project all funding sources \$643,400)	
	Total building trust funds/ capital improvement fund earnings	\$ 631,300
	Projects financed by general fund supported borrowing:	
	Community correctional facilities	\$ 3,300,000
	Dodge food service remodeling and addition	1,794,600
	Dodge security improvements	281,000
	Fox Lake segregation building remodeling	307,200
	Fox Lake security lighting	655,000
	Green Bay video monitoring	347,000
	Kettle Moraine security lighting	843,000
	Southern Center sewer system improvements	<u>511,000</u>
	Total general fund supported borrowing	\$ 8,038,800
	Projects financed by gifts, grants and other agency receipts:	
	Minor projects	\$ 12,100
	(total project all funding sources \$643,400)	
	Total gifts, grants and other agency receipts	\$ 12,100
(d)	State historical society	
	Projects financed by general fund supported borrowing:	
	Museum remodeling and exhibit construction	\$ 1,482,000
	Total general fund supported borrowing	\$ 1,482,000
(e)	Department of military affairs	
	Projects financed by building trust funds/ capital improvement fund earnings:	
	Minor projects	\$ 232,900
	(total project all funding sources \$766,600)	
	Total building trust funds/ capital improvement fund earnings	\$ 232,900
	Projects financed by general fund supported borrowing:	
	Armory construction (5 locations)	\$ 1,000,000
	(total project all funding sources \$5,000,000)	
	Total general fund supported borrowing	\$ 1,000,000
	Projects financed by gifts, grants and other agency receipts:	
	Armory construction (5 locations)	\$ 4,000,000
	(total project all funding sources \$5,000,000)	
	Minor projects	533,700
	(total project all fundings sources \$766,600)	
	Total gifts, grants and other agency receipts	\$ 4,533,700
(f)	Department of natural resources	
	Projects financed by general fund supported borrowing:	
	Spooner office building	\$ 217,500
	(total project all funding sources \$725,000)	
	Total general fund supported borrowing	\$ 217,500
	Projects financed by ORAP supported borrowing	
	Governor Nelson park initial development	<u>\$ 1,350,000</u>
	Total ORAP supported borrowing	\$ 1,350,000
	Projects financed by existing ORAP supported borrowing:	
	Devils lake redevelopment	<u>\$ 500,000</u>
	Total existing ORAP supported borrowing	\$ 500,000
	Projects financed by segregated fund supported borrowing:	
	Spooner office building	\$ 507,500
	(total project all funding sources \$725,000)	
	Total segregated fund supported borrowing	\$ 507,500

	Projects financed by segregated funds:	
	Hayward tree handling facilities	\$ 500,000
	Havenwoods initial development	1,200,000
	(total project all funding sources \$1,600,000)	
	Kettle Moraine campgrounds	695,000
	Minor projects	1,329,000
	(total project all funding sources \$2,803,000)	
	Total segregated funds	\$ 3,724,000
	Projects financed by ORAP funds:	
	Minor projects	\$ 1,474,000
	(total project all funding sources \$2,803,000)	
	Total ORAP funds	\$ 1,474,000
	Projects financed by gifts, grants and other agency receipts:	
	Havenwoods initial development	\$ 400,000
	(total project all funding sources \$1,600,000)	
	Total gifts, grants and other agency receipts	\$ 400,000
(g)	Department of transportation	
	Projects financed by segregated fund supported revenue obligation borrowing:	
	McCoy state patrol academy improvements	\$ 4,700,000
	Madison district office relocation	2,500,000
	Madison Truax service complex	2,275,000
	Madison materials lab and registration station	1,497,000
	Janesville/Beloit registration station	490,000
	Milwaukee lab and sign shop	493,400
	Rhineland district office purchase	550,000
	Total segregated fund supported revenue obligation borrowing	\$ 12,505,400
	Projects financed by segregated funds:	
	Minor projects	<u>\$ 159,900</u>
	Total segregated funds	\$ 159,900
(h)	Department of veterans affairs	
	Projects financed by building trust funds/ capital improvement fund earnings:	
	Minor projects	\$ 89,400
	Total building trust funds/ capital improvement fund earnings	\$ 89,400
(i)	University of Wisconsin system	
	Projects financed by building trust funds/ capital improvement fund earnings:	
	Minor projects	\$ 3,134,800
	Total building trust funds/ capital improvement fund earnings	\$ 3,134,800
	Projects financed by general fund supported borrowing:	
	Eau Claire - Nursing building addition	\$ 1,484,000
	La Crosse - Track and field	519,000
	Madison - Computer science building addition	10,500,000
	- Pharmacy building remodeling	1,400,000
	- Goodnight hall remodeling	1,487,500
	- Home economics building remodeling	550,000
	- Stovall hall refrigeration	448,000
	- Electrical distribution system	720,000
	- Water treatment system	360,000
	Milwaukee - Golda Meier library addition	11,327,000
	Platteville - Ottensman hall addition	<u>2,100,000</u>
	Total general fund supported borrowing	\$ 30,895,500
	Projects financed by program revenue supported borrowing:	
	Green Bay - Student commons addition	\$ 820,000
	(total project all funding sources \$1,310,000)	
	Total program revenue supported borrowing	\$ 820,000
	Projects financed by program revenue:	
	Green Bay - Student commons addition	\$ 490,000
	(total project all funding sources \$1,310,000)	

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	Madison - Memorial Union remodeling	801,600
	- Helen C. White parking ramp repairs	650,000
	Oshkosh - Blackhawk commons reconstruction	1,200,000
	(total project all funding sources \$2,700,000)	
	Total program revenue	\$ 3,141,600
	Projects financed by gifts, grants and other agency receipts:	
	Madison - Music hall remodeling	\$ 1,000,000
	Oshkosh - Blackhawk commons reconstruction	<u>1,500,000</u>
	Total gifts, grants and other agency receipts	\$ 2,500,000
(j)	Funding available to all agencies	
	Projects financed by building trust funds/ capital improvement fund earnings:	
	Minimum maintenance and health and safety	\$ 5,000,000
	(total project all funding sources \$27,500,000)	
	Total building trust funds/ capital improvement fund earnings	\$ 5,000,000
	Projects financed by general fund supported borrowing:	
	Minimum maintenance and health and safety	\$ 22,500,000
	(total project all funding sources \$27,500,000)	
	Energy conservation	15,000,000
	Air quality compliance and fuel conversion	15,000,000
	Advanced land acquisition	2,000,000
	Remove architectural barriers	<u>1,000,000</u>
	Total general fund supported borrowing	\$ 55,500,000
(k)	Summary	
	Total building trust funds	\$ 3,228,400
	Total capital improvement fund earnings	6,000,000
	Total ORAP funds	1,474,000
	Total program revenues	3,141,600
	Total segregated funds	3,883,900
	Total general fund supported borrowing	101,133,800
	Total ORAP supported borrowing	1,350,000
	Total existing ORAP supported borrowing	500,000
	Total program revenue supported borrowing	820,000
	Total segregated fund supported borrowing	507,500
	Total segregated fund supported revenue obligation borrowing	12,505,400
	Total gifts, grants and other agency receipts	<u>7,445,800</u>
	Total funding, all sources	\$141,990,400

(2) In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under previous authorized state building programs is continued in the 1983-85 biennium.

(3) The state building commission may establish and modify project priorities for the minor project enumerations under subsection (1) and may, within the total funding provided for minor projects, revise the amount of building trust funds or capital improvement fund earnings allocated among agencies.

(4) (a) The financing authority under subsection (1) (j) for minimum maintenance and health and safety, energy conservation, air quality compliance and fuel conversion, advanced land acquisition, and remove architectural barriers may be allocated by the commission among state agencies for the purposes specified without further enumeration for projects exceeding \$250,000.

(b) Air quality compliance funds under subsection (1) (j) may be allocated by the commission for projects to meet air quality standards imposed on state power plants or to convert state power plants from gas or oil to a more reliable and economical fuel supply.

(5) Subject to approval of the lending procedures by the joint committee on finance, the commission may make loans to state agencies not funded by general purpose revenues for projects authorized under subsection (1) (j).

(6) The commission may use \$2,143,000 of bonding authorized for corrections projects item vetoed from the 1981-83 building program only with the approval of the joint committee on finance and only for the following corrections projects:

(a) The medium security institution at 1776-1818 North Commerce Street, Milwaukee.

(b) The Oshkosh correctional institution.

(c) The maximum/medium security institution under section 46.05 (1) of the statutes authorized under chapter 34, laws of 1979, section 2006m (1) (c), as amended to the maximum/medium or medium or both security correctional facility under chapter 221, laws of 1979, section 2006 (2) (d).

(7) The \$36,000,000 in general fund supported borrowing authorized for the maximum/medium security institution under section 46.05 (1) of the statutes authorized under chapter 34, laws of 1979, section 2006m (1) (c), as amended to the maximum/medium or medium or both security correctional facility under chapter 221, laws of 1979, section 2006 (2) (d) is increased by \$6,290,000 in general fund supported borrowing for a total project budget of \$42,290,000.

(8) The commission may substitute a Waupun health care facility at \$412,000 in general fund supported borrowing and a Dodge health care facility at \$838,000 in general fund supported borrowing for the Waupun health care facility at \$1,250,000 in general fund supported borrowing authorized under chapter 317, laws of 1981, section 2006 (1) (a) 2.

(9) The commission may implement the Kettle Moraine security lighting project under subsection (1) (c) at a lesser project cost after a reevaluation of lighting requirements for security at the facility which considers the addition of a 2nd security fence item vetoed from chapter 20, laws of 1981, section 2006 (1) (c) and authorized under chapter 317, laws of 1981, section 2006 (1) (a) 2.

(10) The La Crosse track and field project under subsection (1) (i) may also include \$238,500 authorized for the La Crosse physical education field development under chapter 39, laws of 1975, section 715m (1) (a), for a total project budget of \$757,500.

**Vetoed  
in Part** (11) ~~By December 31, 1984, the commission, after consulting with the department of veterans affairs, shall submit to the legislature a report on the feasibility, estimated construction budget and possible sites for a 200-bed veterans home in southeastern Wisconsin.~~

**SECTION 2008. Nonstatutory provisions; court of appeals.**

(1) POSITION AUTHORIZATIONS. The authorized positions for the court of appeals are increased by 2.0 GPR positions for an additional attorney and law clerk needed because of increased workload.

**SECTION 2010. Nonstatutory provisions; development.**

(1) TECHNOLOGY DEVELOPMENT BOARD. Notwithstanding section 15.155 (1) of the statutes, as created by this act, the initial public members of the technology development board shall be appointed for the following terms:

(a) One member, for a term expiring on May 1, 1984.

(b) One member, for a term expiring on May 1, 1985.

(c) One member, for a term expiring on May 1, 1986.

(2) TOURISM MARKETING. The department of development shall assist the tourism industry in this state in establishing a capability to conduct its own tourism promotion activities. The department shall report its progress under this subsection to the joint committee on finance by January 1, 1985.

(3) TOURIST INFORMATION CENTER AT MARINETTE. The department of development shall contract with the Marinette area chamber of commerce to continue to maintain a temporary tourist information center operated by the chamber at Marinette.

(4) BUSINESS CLIMATE STUDY. The department of development shall provide \$25,000 from the appropriation under section 20.143 (1) (a) of the statutes to match private funding of an independent study of how business views the business climate in this state and how the level and quality of state and local services contribute to the business climate.

~~SECTION 2011. Nonstatutory provisions; educational communications board.~~

~~(1) PUBLIC TELEVISION FUNDING. The educational communications board, in consultation with Milwaukee area technical college, the license holder of channels 10 and 36 in Milwaukee, shall include in its 1985-87 and all subsequent biennial budget requests funding for the costs of public television in the Milwaukee area comparable to the level at which the costs of public television are reimbursed elsewhere in the state. This may occur on a phase-in basis. The funding levels shall recognize that Milwaukee area technical college holds the license and is responsible for final programming decisions.~~

Vetoed  
in Part

SECTION 2015. Nonstatutory provisions; employment relations department.

(2) AFFIRMATIVE ACTION COUNCIL; APPOINTMENTS. (a) All members serving on the affirmative action council on the effective date of this subsection shall continue to serve the terms for which they were appointed.

(b) Of the first 5 members appointed to a full term on the affirmative action council after the effective date of this subsection:

1. One member shall be appointed by the president of the senate.
2. One member shall be appointed by the speaker of the assembly.
3. One member shall be appointed by the minority leader of the senate.
4. One member shall be appointed by the minority leader of the assembly.
5. One member shall be appointed by the governor.

(3) DEPARTMENT REORGANIZATION. (a) On the effective date of this act the position of administrator of the division of personnel in the department of employment relations is abolished and the position of administrator of the division of merit recruitment and selection in the department of employment relations is created.

(b) Notwithstanding sections 230.14, 230.145, 230.15, 230.16, 230.25 and 230.28 of the statutes, the person occupying the position of administrator or acting administrator of the division of personnel in the department of employment relations immediately before the effective date of this act shall become the administrator or acting administrator of the division of merit recruitment and selection in the department of employment relations until a person is appointed under section 15.173 (1) (b) of the statutes to the position of administrator of the division of merit recruitment and selection in the department of employment relations.

(c) 1. Except as provided in subdivision 2, all rules adopted by the administrator of the division of personnel in the department of employment relations which are in effect immediately before the effective date of this act become the rules of the secretary of the department of employment relations.

2. All rules adopted by the administrator of the division of personnel in the department of employment relations under the authority described in either subdivision 2. a or b which are in effect immediately before the effective date of this act become rules of the administrator of the division of merit recruitment and selection in the department of employment relations:

a. Sections 230.05 (4), 230.08 (2) (c) and (3) (d), 230.13, 230.14, 230.145, 230.15 to 230.17, 230.19 to 230.21, 230.22 (3), 230.25, 230.26 (1) and (2), 230.27 (2), 230.28, 230.29, 230.30, 230.31 (1) (b) and (2), 230.32 (4) and (5), 230.34 (2) (b), (2m) and (3) and 230.40 of the statutes.

b. Any other section of the statutes which, on the effective date of this act, it is the responsibility of the administrator of the division of merit recruitment and selection to administer.

**SECTION 2016. Nonstatutory provisions; ethics board.**

(1) EXECUTIVE DIRECTOR TO SERVE AS ADMINISTRATOR. The incumbent executive director of the ethics board on the effective date of this subsection shall become the administrator of the ethics board and judicial commission and may serve in that capacity until removed in accordance with section 19.47 (2) of the statutes, as affected by this act.

(2) INITIAL STATEMENTS OF ECONOMIC INTERESTS. Each municipal judge holding office on the effective date of this subsection shall file an initial statement of economic interests with the ethics board no later than October 31, 1984, unless the individual no longer holds that office on October 31, 1984, or unless the individual has previously filed a statement of economic interests with the ethics board containing information current as of, or subsequent to, December 31, 1983. The information contained in the statement filed under this subsection shall be current as of December 31, 1983.

**SECTION 2017. Nonstatutory provisions; executive programs.**

(1) COUNCIL ON CRIMINAL JUSTICE. (a) In this subsection:

1. "Former council" means the council on criminal justice created under section 14.017, 1981 stats., existing prior to the effective date of this subsection.

2. "New council" means the council on criminal justice created under section 15.107 (9) of the statutes, as created by this act.

(b) Layoff procedures under rules of the administrator of the division of merit recruitment and selection of the department of employment relations or under applicable collective bargaining agreements shall determine which personnel are transferred from the old council to the new council.

(c) Except as provided in paragraph (b), employees transferred to the new council have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the new council which they enjoyed in the former council immediately prior to the transfer.

(d) On the effective date of this subsection, assets and liabilities of the former council shall become the assets and liabilities of the new council.

(e) All furniture, equipment, supplies and records of the former council on criminal justice are transferred to the new council.

(f) All contracts entered into by the former council in effect on the effective date of this subsection remain in effect and are transferred to the new council. The new council shall carry out any such contractual obligations. All approvals of program or project applications by the former council remain in effect unless rescinded by the new council.

(g) All rules and orders issued by the former council in effect on the effective date of this subsection shall remain in effect until modified or rescinded by the new council acting under the authority granted by this act.

(h) Any matter pending with the former council on the effective date of this subsection is transferred to the new council and all materials submitted to or actions taken by the former council with respect to the pending matter are deemed to have been submitted to or taken by the new council.

Partial  
Veto  
Overruled

**SECTION 2018. Nonstatutory provisions; governor.**

(4) EXPENDITURE OF FEDERAL OIL OVERCHARGE FUNDS. (a) Before using any of the funds which the federal government has disbursed to the governor under P.L. 97-377, section 155, the governor shall submit to the joint committee on finance a proposal for the use of the funds. On the same day that it receives a proposal from the governor, the joint committee on finance shall give a copy of the proposal to the standing committee of each house of the legislature generally responsible for legislation related to state energy issues. Within 30 days after receipt of the proposal, the standing committees may submit in writing recommendations on the proposal to the joint committee on finance.

(b) The joint committee on finance may approve or disapprove in whole or in part a proposal submitted under paragraph (a):

1. Within 60 working days after the joint committee on finance submits the proposal to the standing committees under paragraph (a), if neither standing committee submits recommendations to the joint committee on finance under paragraph (a).

2. If only one standing committee submits recommendations to the joint committee on finance or if both standing committees submit recommendations on the same day, within 30 days after the joint committee on finance receives the recommendations under paragraph (a).

3. If both standing committees submit recommendations to the joint committee on finance on different days, within 30 days after the later day on which the joint committee on finance receives the recommendations under paragraph (a).

(c) 1. The governor may not use any funds under any part of the governor's proposal for use of funds under this section which the joint committee on finance disapproves under paragraph (b).

2. If the joint committee on finance disapproves under paragraph (b) all or any part of the governor's proposal for use of funds under this section, the committee shall return all disapproved parts of the proposal to the governor for reconsideration.

(d) If the joint committee on finance takes no action which either approves or disapproves in whole or in part under paragraph (b) the governor's proposal for the use of funds under this section, the governor may use the funds according to the proposal.

Partial  
Veto  
Overruled

#### SECTION 2020. Nonstatutory provisions; health and social services.

(1) LEGISLATIVE REVIEW OF FEDERAL BLOCK GRANT APPLICATIONS. The department of health and social services shall submit its federal block grant applications for federal fiscal years 1983-84 and 1984-85 to the joint committee on finance and to the presiding officer of each house of the legislature for submission to the appropriate legislative standing committees. The appropriate legislative standing committees shall review the applications, conduct public hearings on the applications and submit recommendations to the department of health and social services regarding the block grant applications.

(2) WORK INCENTIVE DEMONSTRATION PROGRAM RULES. The department of health and social services may administer the work incentive demonstration program under section 49.50 (7) of the statutes, prior to the adoption of rules but it shall submit the rules required under section 49.50 (7) (a) of the statutes, as affected by this act, in final draft form under section 227.018 (2) of the statutes no later than September 30, 1984.

(3) ASSIGNMENT OF SUPPORT RIGHTS. Under section 49.19 (4) (h) 1. b of the statutes, any support right of a parent or child receiving aid under section 49.19 of the statutes on or after the effective date of this act is assigned to the state, regardless of whether the aid was applied for before, on or after that date.

(4) PILOT PROGRAM FOR OUTCOME-ORIENTED MONITORING; SOCIAL AND MENTAL HYGIENE SERVICES. For the period of calendar years 1984 and 1985, the department of health and social services may select and contract with county departments of public welfare and social services organized under sections 46.22 and 49.51 of the statutes, mental hygiene boards organized under section 51.42 of the statutes, developmental disability boards organized under section 51.437 or community human services boards organized under

section 46.23 of the statutes, in up to 5 counties, upon application by the agencies or boards, to establish pilot programs to test selected aspects of an outcome-oriented monitoring system for social and mental hygiene services. A contract entered into under this subsection is separate from, and not subject to the requirements for, coordinated plans and budgets under section 46.031 of the statutes. Notwithstanding the categorization of or limits specified for funds allocated under sections 49.52 (1) (d) and 51.42 (8) (b) of the statutes, the department of health and social services may approve the use of funds from section 20.435 (4) (b) and (o) of the statutes, for a pilot program that is consistent with any service provided under sections 49.52 (1) (d) and 51.42 (8) (b) of the statutes.

(5) AID TO FAMILIES WITH DEPENDENT CHILDREN; SHELTER COSTS. On or before January 1, 1984, the department of health and social services shall submit all rules that involve changes to the program for administering aid to families with dependent children under section 49.19 (11) (a) 4 of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes.

(5m) ADDITIONAL SOCIAL SERVICES BLOCK GRANT FUNDS: CALENDAR YEAR 1983. Within the limits of the availability of federal funds and of the appropriation under section 20.435 (4) (o) of the statutes, as affected by this act, and in addition to any other amounts allocated from this appropriation for community mental hygiene and social services, the department of health and social services shall allocate the following amounts for the period beginning July 1, 1983, and ending December 31, 1983:

(a) To county departments of public welfare and social services or to community human services boards for day care services an amount not to exceed \$343,700.

(b) To boards created under section 51.42 or 51.437 of the statutes or to community human services boards for services provided or purchased by those boards as follows:

1. For community support programs for the developmentally disabled and the chronically mentally ill, including programs associated with federal housing and urban development projects, an amount not to exceed \$895,600.

2. For family support programs, an amount not to exceed \$50,000.

(6) COMMUNITY AIDS FUNDING. Within the limits of the availability of federal funds and of the appropriations under section 20.435 (4) (b) and (o) of the statutes, as affected by this act, the department of health and social services shall allocate funds for community mental hygiene and social services for the period beginning January 1, 1984, and ending June 30, 1985, as provided in this subsection:

(a) To county departments of public welfare and social services and to boards created under section 51.42 or 51.437 of the statutes or to community human services boards for community mental hygiene and social services as follows:

1. For social services under section 49.52 (1) (d) of the statutes and mental hygiene services under section 51.42 (8) (b) of the statutes, amounts not to exceed \$212,683,400 for 1984 and \$106,341,700 for the first 6 months of 1985. From the allocations under this subdivision, each county shall receive in 1984 a basic county allocation equal to the amount of its 1983 basic allocation under sections 49.52 (1) (d) and 51.42 (8) (b) of the statutes, including state matching funds, less amounts designated for day care and amounts equal to estimated increases in parental collections as determined by the department of health and social services, plus amounts received in 1981 for community support programs for the developmentally disabled and the chronically mentally ill, including programs associated with federal housing and urban development projects, for the reimbursement of shelter care costs and for supportive home care services. Each county's basic county allocation for the first 6 months of 1985 shall be 50% of its 1984 basic county allocation under this subdivision.

2. For adjustments to the basic allocations under subdivision 1 to cover cost increases of services, amounts not to exceed \$3,959,300 for 1984 and \$6,018,200 for the first 6 months of 1985. The department of health and social services shall allocate these funds based equally on each county's proportion of the state's monthly average medical assistance case load for calendar year 1981, each county's ranking on an urban-rural scale, which is to be determined based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more, and each county's ranking as determined by the ratio of the 1980 full value of all taxable property in the county, as defined in section 70.57 of the statutes, to the county's 1980 population.

3. For emergencies, amounts not to exceed \$600,000 for 1984 and \$300,000 for the first 6 months of 1985.

4. For the relocation of residents of nursing homes and other residential facilities, amounts not to exceed \$200,000 1984 and \$100,000 for the first 6 months of 1985.

5. For supportive home care, an amount not to exceed \$296,900 in calendar year 1984 if the department of health and social services requires a specified amount of funds allocated under subdivision 1 to be spent for supportive home care in 1984. If the department of health and social services does not require a specified amount of funds allocated under subdivision 1 to be spent for supportive home care in 1984, then \$296,900 in calendar year 1984 shall be added to the amount in subdivision 2 for allocation in accordance with the provisions in subdivision 2.

6. For supportive home care, an amount not to exceed \$451,300 for the first 6 months of 1985 if the department of health and social services requires a specified amount of funds allocated under subdivision 1 to be spent for supportive home care in 1985. If the department of health and social services does not require a specified amount of funds allocated under subdivision 1 to be spent for supportive home care in 1985, then \$451,300 for the first 6 months of 1985 shall be added to the amount in subdivision 2 for allocation in accordance with the provisions in subdivision 2.

7. For the community options program under section 46.27 of the statutes, amounts not to exceed \$9,772,700 for 1984 and \$7,942,000 for the first 6 months of 1985. The department of health and social services shall designate amounts from this allocation, not to exceed \$906,500 for 1984 and \$636,800 for the first 6 months of 1985, for assessments and case plan costs under section 46.27 (6) of the statutes not otherwise paid under section 46.032 or 49.45 of the statutes. Subject to the limitations of section 46.27 (7) of the statutes, the department of health and social services shall allocate funds under this subdivision to participating counties based on the length of time that each county has participated in the community options program.

8. For the purposes specified in SECTION 2120 (1) of this act, amounts not to exceed \$449,500 in 1984 and \$340,200 for the first 6 months of 1985.

(b) To county departments of public welfare and social services or to community human services boards for social services as follows:

1. For day care services, amounts not to exceed \$8,861,000 for 1984 and \$4,584,900 for the first 6 months of 1985. Funds allocated by the department of health and social services under this subdivision may not be used by county agencies for purposes other than day care services.

2. For adjustments to the basic county allocations under paragraph (a) 1 to compensate counties for case load increases resulting from completion of the direct services phase down, amounts not to exceed \$143,300 for 1984 and \$71,700 for the first 6 months of 1985.

~~(b) The department of health and social services may spend up to \$500,000 in 1984 and \$500,000 in the first 6 months of 1985 of the funds allocated under paragraph (b) 1 for the start-up and improvement of day care services.~~

(c) To boards created under section 51.42 or 51.437 of the statutes or to community human services boards for services provided or purchased by those boards as follows:

1. For respite care projects, amounts not to exceed \$326,800 for 1984 and \$163,400 for the first 6 months of 1985.

2. For services to and the relocation of persons who were residents of community-based residential facilities for the chronically mentally ill that were in the process of closing during 1982, amounts not to exceed \$885,300 for 1984 and \$442,600 for the first 6 months of 1985.

3. For the purposes of section 49.45 (2) (a) 19 of the statutes, amounts not to exceed \$1,523,200 for 1984 and \$761,600 for the first 6 months of 1985.

4. For community support programs for the developmentally disabled and the chronically mentally ill, including programs associated with federal housing and urban development projects, amounts not to exceed \$2,840,000 for 1984 and \$1,440,900 for the first 6 months of 1985.

5. For family support programs, amounts not to exceed \$100,000 for 1984 and \$50,000 for the first 6 months of 1985.

(6m) COMMUNITY YOUTH AND FAMILY AIDS FUNDING. Within the limits of the availability of federal funds and of the appropriations under section 20.435 (4) (cd) and (oo) of the statutes, as affected by this act, the department of health and social services shall allocate funds for community youth and family aids for the period beginning January 1, 1984, and ending June 30, 1985, as provided in this subsection to county departments of public welfare and social services or to community human services boards as follows:

(a) For community youth and family aids under section 46.26 of the statutes, amounts not to exceed \$30,141,100 for 1984 and \$15,324,700 for the first 6 months of 1985. From the amounts distributed under this paragraph for 1984, subject to the requirements of section 46.26 of the statutes, each county shall receive an amount equal to the sum of the base allocation it received in 1983 under section 46.26 (3) of the statutes, and the amount determined by the department of health and social services under section 46.26 (3) (d) of the statutes, as the county's proportionate share of the funds to compensate for 1983 and 1984 increases in per person daily cost assessments. For the first 6 months of 1985, subject to the requirements of section 46.26 of the statutes, each county shall receive 50% of the amount it received in 1984 plus the amount determined by the department of health and social services under section 46.26 (3) (d) of the statutes, as the county's proportionate share of the funds to compensate for 1985 increases in per person daily cost assessments.

(b) For adjustments to the community portion of the community youth and family aids base allocation under paragraph (a) to cover cost increases of services, amounts not to exceed \$248,300 for 1984 and \$377,300 for the first 6 months of 1985. The department of health and social services shall allocate these funds by use of a formula which gives equal weight to the county's percentage of the total statewide juvenile population, the average Part I law enforcement apprehension of juveniles for 1975 through 1978, as defined by the uniform crime reporting system of the Wisconsin criminal justice information crime and arrest report of the crime information bureau of the department of justice, and the average juvenile correctional placements with the department for 1975 through 1978.

(c) For emergencies related to community youth and family aids under section 46.26 of the statutes, amounts not to exceed \$250,000 for 1984 and \$125,000 for the first 6 months of 1985.

(8) EXPENDITURE OF FEDERAL CHILD WELFARE FUNDS. (a) *Federal program operations.* From the appropriation under section 20.435 (4) (n) of the statutes, the department of health and social services shall expend moneys received under 42 USC 620 to 626 as follows:

1. For the department's expenses in connection with administering the expenditure of funds received under 42 USC 620 to 626, up to \$157,000 in federal fiscal year 1984 and up to \$162,600 in federal fiscal year 1985.

2. For innovative child welfare projects or services, including projects for the prevention of juvenile delinquency, provided or purchased by the department, up to \$200,000 in federal fiscal year 1984 and up to \$200,000 in federal fiscal year 1985.

3. For the subunit of the department responsible for reviewing the needs of children held in secured correctional facilities, up to \$81,200 in state fiscal year 1983-84.

(b) *Community social and mental hygiene services.* From the appropriation under section 20.435 (4) (o) of the statutes, the department of health and social services shall expend moneys received under 42 USC 620 to 626 as follows:

1. For the delivery of services to American Indians under section 46.70 of the statutes, up to \$70,000 in federal fiscal year 1984 and up to \$70,000 in federal fiscal year 1985.

2. For runaway services for those programs not receiving funds through the federal runaway youth act in state fiscal year 1982-83, up to \$100,000 in federal fiscal year 1984.

2m. For runaway services, up to \$100,000 in state fiscal year 1983-84 and up to \$100,000 in state fiscal year 1984-85.

3. To county departments of public welfare or social services, for the provision or purchase of child welfare projects and services in accordance with plans developed under section 46.031 of the statutes, subject only to local, state and federal requirements specific to the types of projects or services, at least \$1,973,000 in federal fiscal year 1984 and at least \$2,068,000 in federal fiscal year 1985.

(c) *Community youth and family aids.* From the appropriation under section 20.435 (4) (oo) of the statutes, to county departments of public welfare or social services, for the provision of services under section 46.26 of the statutes, at least \$800,000 in federal fiscal year 1984, and at least \$800,000 in federal fiscal year 1985, plus any unencumbered balance of the moneys received under 42 USC 620 to 626 remaining on September 30, 1985.

(d) *Unencumbered 1983 federal funds.* Notwithstanding laws of 1981, chapter 20, section 2020 (4) (e), the department of health and social services shall, from the appropriation under section 20.435 (4) (o) of the statutes, as affected by this act, expend at least \$1,675,925 of the unencumbered balance of the funds received under 42 USC 620 to 626 for federal fiscal year 1983 as grants to county departments of public welfare or social services during federal fiscal year 1984. The purpose of the grants shall be to enable the county departments to establish programs designed to prevent the placement of children outside of their own homes and to reduce the counties' use of substitute care for children. The department of health and social services shall establish criteria for distribution of the grants.

(9) PILOT PROGRAM ALLOCATING FUNDS FOR MENTAL HEALTH CARE. The department of health and social services shall report to the joint committee on finance concerning its proposed methodology for establishing base levels of medical assistance expenditures under section 49.45 (6) of the statutes, as created by this act, and concerning its proposed transfer or credit of funds to community mental health boards, on or before December 1, 1983.

(10) GROUNDWATER PROTECTION STANDARDS APPROPRIATION. Of the amounts in the schedule for the appropriation under section 20.435 (1) (a) of the statutes, \$70,800 for fiscal year 1984-85 may not be expended until the department of health and social services requests the release of these moneys, the joint committee on finance determines that

legislation for the development of groundwater protection standards has been enacted and the joint committee on finance approves the expenditure acting under section 13.10 of the statutes.

(11) CERTIFICATE OF NEED; RULES. (a) The department of health and social services shall submit its proposed rules required under chapter 150 of the statutes, as repealed and recreated by this act, to the legislative council for review under section 227.029 (1) of the statutes no later than April 1, 1984.

(b) If the department fails to adopt these rules by January 1, 1984, it shall adopt rules using the procedures specified in section 227.027 of the statutes to govern the interim period from January 1, 1984, to the date that rules required under paragraph (a) are adopted. The limitations on the period during which emergency rules remain in effect that are specified in section 227.027 of the statutes do not apply to rules adopted under this paragraph.

(12) CERTIFICATE OF NEED; TRANSITION. (a) Until January 1, 1984, the department of health and social services may only accept applications for the approval of projects that are required to remedy an emergency situation or projects that involve the conversion of community-based residential facilities to nursing homes under section 49.45 (16) of the statutes, as affected by this act. In this subsection, "emergency situation" means a situation, physical condition, practice, method or operation that presents an imminent danger of death or severe physical or mental harm to any patient in a nursing home or hospital. Any nursing home or hospital that finds itself in an emergency situation shall notify the department before commencing corrective action, so the department can determine if chapter 150 of the statutes applies to the proposed action. No nursing home or hospital may commence corrective action without the department's written approval. If the department refuses to approve an application under this subsection from a nursing home or hospital that considers itself in an emergency situation, the nursing home or hospital may commence contested case proceedings under section 227.07 of the statutes.

(b) Chapter 150, 1981 stats., applies to all project applications the department of health and social services has declared complete prior to July 1, 1983. Chapter 150 of the statutes, as affected by this act, does not apply to these applications. The department of health and social services may not continue to review project applications under chapter 150, 1981 stats., that it does not declare complete on or after July 1, 1983, and shall return all fees submitted to it as part of these applications.

(c) 1. Except as provided in subdivision 2, each certificate of need issued prior to the effective date of this subdivision under section 150.06, 1981 stats., is void unless, on or before the effective date of this subdivision, the applicant obtains permanent financing for the project and demonstrates that substantial and continuing progress, as defined in section 150.01 (20) of the statutes, has been made on the project.

2. Each certificate of need issued less than one year before the effective date of this subdivision or on or after the effective date of this subdivision under section 150.06, 1981 stats., is void unless, within one year after the date of issuance, the applicant obtains permanent financing for the project and demonstrates that substantial and continuing progress, as defined in section 150.01 (20) of the statutes, has been made on the project.

3. The holder of a certificate of need may contest the decision of the department of health and social services to void the certificate under subdivision 1 or 2 by requesting a hearing under section 227.07 of the statutes. The department of health and social services shall notify each person who has received a certificate of need of its intention to void the certificate under subdivision 1 or 2. These persons have 15 days from the date of notification to request, in writing, a hearing before a hearing officer appointed by the secretary of health and social services. Hearings shall be held within 25 days of the request, unless delayed by consent of the holder of the certificate of need. Unless rescinded by the department of health and social services, the order to void a certificate of

need takes effect 15 days following the date of notification or, if the person holding the certificate requests a hearing, following a final decision of the department of health and social services.

(d) Of the fees collected in fiscal year 1984-85 under section 150.13 of the statutes, as affected by this act, \$55,200 shall be deposited in the general fund notwithstanding section 20.435 (1) (gm) of the statutes, as affected by this act.

(13) CORRECTIONAL HEALTH CARE. The department of health and social services shall report by January 1, 1984, to the joint committee on finance with information on the feasibility of providing adequate inmate health services through state or private insurance programs or other alternative methods which would provide correctional health care to inmates in the most cost-effective manner.

(14) EVALUATION OF THE COMMUNITY OPTIONS PROGRAM. On or before January 1, 1985, the department of health and social services shall submit an evaluation of the community options program to the governor, the joint committee on finance and the presiding officer of each house of the legislature focusing on whether persons receiving alternate community services are at risk of imminent institutionalization, on whether the program maximizes the services of family and friends, on comparing the cost of alternate community services and of institutionalization and on the varying degrees of difficulty of serving different disability groups.

(15) FUNDING FOR DISPLACED HOMEMAKER PROGRAM. The department of health and social services shall contract with the board of vocational, technical and adult education to provide \$144,000 in fiscal year 1983-84 and \$144,000 in fiscal year 1984-85 from the appropriation under section 20.435 (4) (md) of the statutes to the board of vocational, technical and adult education, for displaced homemaker program funding in addition to that under section 20.292 (1) (b) of the statutes.

(16) HEALTH CARE DELIVERY STUDY. The department of health and social services, in cooperation with the office of the commissioner of insurance and the university of Wisconsin system, shall examine the merits of the following and report its recommendations to the legislature on or before January 1, 1985:

(a) The provision of technical assistance by the department of health and social services in the establishment of health maintenance organizations.

(b) The establishment of a program in the department of health and social services, the university of Wisconsin system or both, to provide middle level managers and other interested persons willing to pay full tuition costs with training and experience in the establishment and operation of alternative health care delivery systems, including preferred provider and health maintenance organizations.

(c) The provision of grants or low-interest loans to health maintenance organizations to cover start-up costs.

(17) HOSPITAL RATE SETTING. (a) *Initial membership on the commission.* Notwithstanding section 15.06 (1) (a) of the statutes, of the initial members of the hospital rate-setting commission under section 15.105 (15) of the statutes, as created by this act, one member shall be appointed for a term that expires on March 1, 1987, one member shall be appointed for a term that expires on March 1, 1989, and one member shall be appointed for a term that expires on March 1, 1991. All subsequent appointments shall comply with section 15.06 (1) (a) of the statutes. The governor may appoint one member in 1983 and 2 members in 1984, who may begin preparing rules for submission to the legislative council under section 227.029 (1) of the statutes and who may hire commission employees. All commissioners shall be appointed prior to adoption of the commission's rules.

(b) *Initial membership on the council.* Notwithstanding section 15.107 (1m) of the statutes, as created by this act, of the initial members of the hospital rate-setting council under that section, 4 members shall be appointed for terms that expire on July 1, 1987, 4

members shall be appointed for terms that expire on July 1, 1989, and 3 members shall be appointed for terms that expire on July 1, 1991. All subsequent appointments shall comply with sections 15.09 (1) and 15.107 (1m) of the statutes. The governor may appoint all members in 1983 for review and comment on rules being prepared by the commission.

(c) *Funding for the commission.* 1. The hospital rate-setting commission shall, on or before February 1, 1985, estimate its total expenditures for the period beginning on January 1, 1985, and ending on December 31, 1985. From the appropriation under section 20.441 (1) (a) of the statutes, as created by this act, the commission shall draw at least \$200,000 to meet these expenditures from January 1, 1985, to June 30, 1985. The commission shall assess two-thirds of the estimated total expenditures for calendar year 1985 to the hospitals in proportion to each hospital's respective gross patient revenues during the hospital's last fiscal year. Each hospital shall pay its assessment on or before March 1, 1985. All payments shall be deposited in the appropriation under section 20.441 (1) (g) of the statutes, as created by this act.

2. The legislature intends that one-third of the cost of the hospital rate-setting commission's operations be financed in succeeding bienniums using general purpose revenues, subject to the limitation that not more than \$500,000 be appropriated in each fiscal year, adjusted to reflect annual changes in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor. The legislature also intends that the remaining cost of the commission's operations in succeeding bienniums be assessed to hospitals and recovered as program revenues, subject to the limitation that not more than \$1,000,000 be assessed to hospitals in each fiscal year, adjusted to reflect annual changes in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor.

3. In 1985 an additional 3.0 rate analyst positions may be authorized and the funds necessary for these positions released, but only if more than 20 contested case hearings concerning subject matter that pertains to chapter 54 of the statutes, as created by this act, are scheduled during that year.

(d) *Rule making.* The legislature intends that the hospital rate-setting commission adopt the rules necessary to implement chapter 54 of the statutes, as created by this act, no later than July 1, 1985. The commission may only submit its proposed rules under section 54.05 of the statutes, as created by this act, under the signature of at least 2 commissioners.

(e) *Records of the Wisconsin hospital rate review program.* All records of the Wisconsin hospital rate review program shall be open to review by the hospital rate-setting commission and, on the date the commission's rules take effect under section 54.05 of the statutes, as created by this act, these records shall be transferred to the custody of the commission.

(18) **MEDICAL ASSISTANCE SERVICES PROVIDED BY HEALTH MAINTENANCE ORGANIZATIONS.** If the department of health and social services contracts with health maintenance organizations for the provision of medical assistance it shall give special consideration to health maintenance organizations that provide or that contract to provide comprehensive, specialized health care services to pregnant teenagers. This subsection does not apply after June 30, 1985.

(19) **POSITION AUTHORIZATION; OUT-OF-STATE COLLECTION OF CHILD SUPPORT.** The authorized positions for the department of health and social services are increased by 1.0 PR position to assist in implementing section 46.25 (7m) of the statutes.

(20) **RELIEF OF NEEDY INDIAN PERSONS.** Notwithstanding section 46.046 (3) (a) 1 of the statutes, as affected by this act, the department of health and social services shall, from the effective date of this act to September 30, 1983, provide grants to needy Indian persons as provided under section 49.046 (2), 1981 stats., based on the standards specified under section 49.19 (11) (a) 1. b (figure), 1981 stats.

(22) **STUDY OF THE WORKSHOP FOR THE BLIND.** The department of health and social services shall study alternative ways of serving clients at its workshop for the blind and report its conclusions to the governor, the joint committee on finance and the presiding officer of each house of the legislature on or before October 1, 1984. As part of its study the department shall examine the possibility of increasing the viability of the existing facility, of eliminating direct state operation of the facility and of reducing the long-term subsidy of these clients by general purpose revenues and shall examine the long-term state fiscal implications of these alternatives.

(23) **STUDY OF THE PROVISION OF DRUGS BY MEDICAL ASSISTANCE.** The department of health and social services shall study the provision of over-the-counter drugs and of prescription drugs by medical assistance. On or before January 1, 1984, the department shall submit recommendations to the joint committee on finance and to the presiding officer of each house of the legislature concerning methods of modifying medical assistance to ensure the provision of drugs necessary for the treatment of specific medical conditions.

(24) **THE HOMECRAFT PROGRAM FOR DISABLED PERSONS.** (a) The department of health and social services shall consult with the community development finance authority about how to improve the marketing of its homecraft program for disabled persons under section 47.40 (12) of the statutes. In addition, the department shall evaluate its homecraft program, focusing on the overall cost-effectiveness of home-based employment compared to sheltered employment and on the placement of clients affected by any change in the homecraft program. The department shall report its evaluation of this program to the governor, the joint committee on finance and the presiding officer of each house of the legislature on or before May 1, 1984.

(b) Funding of \$18,500 in fiscal year 1984-85 for a 0.4 GPR teaching position and \$68,900 in fiscal year 1984-85 for 1.6 FED teaching positions in the homecraft program of the division of vocational rehabilitation of the department of health and social services shall be released July 1, 1984, unless the joint committee on finance disapproves its release on or before that date.

(25) **TRANSFER OF PRISONERS.** The legislature authorizes the department of health and social services to enter into a contract with the federal government involving the transfer of not more than 20 prisoners. This subsection constitutes legislative approval for purposes of section 53.26 of the statutes.

(26) **PRISON INDUSTRIES BOARD.** The first members of the prison industries board under section 15.195 (3m) of the statutes, as created by this act, shall be appointed for the following terms: 3 for terms to expire May 1, 1986; 3 for terms to expire May 1, 1987; and 3 for terms to expire May 1, 1988.

(27) **HEALTH INSURANCE BENEFIT DEDUCTIONS.** The legislature finds that a worker who has lost his or her job may lose not only wages and self-esteem, but also may lose valuable benefits for his or her family. In recognition of this, the legislature enacted a law in 1980 to require certain employers which offer group health insurance benefits to allow workers who are laid off to continue coverage in the group or convert to individual coverage under specified conditions. Since the continuation and conversion law does not cover employers which offer health care benefits in a form other than insurance, this creates an unequal situation in which certain persons and their families are left without health care benefits. This could result in those persons not seeking routine preventive health care and could be devastating financially if a major illness or accident occurs. The intent of the treatment or creation of sections 71.01 (3) (a) 2 and (c) 2, 71.04 (2) (b) 10 and 71.05 (1) (a) 24 of the statutes by this act is to provide a tax inducement for employers not covered by the continuation and conversion law voluntarily to offer continuation and conversion benefits.

(28) EMPLOYER-PROVIDED HEALTH CARE COVERAGE. It is the intent of the legislature that employes and employers both share in any savings realized as a result of the treatment by this act of sections 40.51 (6), 71.01 (3) (a) 3 and (c) 3, 71.04 (2) (b) 7 and 71.05 (1) (a) 21 of the statutes.

(29) SUPPLEMENTAL SECURITY INCOME STUDY. The department of health and social services shall conduct a study to determine whether the state supplement paid to recipients of supplemental security income under section 49.177 of the statutes combined with the federal payment is sufficient to meet the basic needs of the recipients. The department shall appoint an advisory committee to assist in the study. The membership of the committee shall include recipients of supplemental security income, a member of the board on aging and long-term care, a member of the council on developmental disabilities, a member of the council on blindness, a state senator and a representative to the assembly. The department shall, on or before July 1, 1984, report its conclusions and findings to the governor, the joint committee on finance and the presiding officer of each house of the legislature.

**Vetoed  
in Part**

~~(30) STATE FUNDING FOR GENERAL RELIEF MEDICAL COSTS. On or before October 1, 1984, the department of health and social services shall submit recommendations to the governor and to the joint committee on finance regarding which general relief medical costs should be eligible for state reimbursement under section 49.035 (4) and (5) of the statutes, as created by this act, in order to provide for cost-effective state assumption of all eligible medical costs by 1992. The department shall consider the use of copayments, deductibles and other cost containment measures in making recommendations regarding those costs which should be eligible for state reimbursement.~~

~~(31) STATE STANDARDS FOR GENERAL RELIEF ASSISTANCE. On or before October 1, 1985, the department of health and social services shall submit recommendations to the governor and the joint committee on finance regarding the establishment of standards in chapter 49 of the statutes to provide uniform standards of need under general relief for the purpose of state reimbursement under section 49.035 of the statutes, as created by this act.~~

(32) POSITIONS FOR FOOD STAMP MAILINGS. On the effective date of this subsection, the authorized FTE positions for the department of health and social services are increased by 2.0 GPR positions and 2.0 FED positions to be funded from the appropriations under section 20.435 (4) (a) and (n) to make permanent the positions previously authorized under section 13.10 of the statutes for food stamp mailings.

(32g) NEW METROPOLITAN CORRECTIONAL INSTITUTIONS; LEGISLATIVE FINDINGS. (a) *Prison findings.* The legislature finds that prison overcrowding is a critical problem in this state which restricts the options available to judges, prosecutors and prison officials.

(b) *WEPA reaffirmation.* The legislature reaffirms its commitment to the Wisconsin environmental policy act and the requirement that executive agencies conform to section 1.11 of the statutes and prepare environmental impact statements on major state actions significantly affecting the human environment. The legislature also recognizes that the issue of the siting of any new metropolitan correctional institution necessitates an expedited environmental review process and will require the direct action of the legislature in establishing the site for any new metropolitan correctional institution.

(c) *Site selection.* The legislature recognizes its responsibility to consider environmental factors in designating the site for any new metropolitan correctional institution.

(d) *Judicial considerations.* The legislature finds that the revised judicial review process and injunctive relief provisions are necessary to alleviate the problems described under paragraphs (a) and (b). The legislature requests that courts reviewing decisions under section 46.0435 (2) of the statutes expedite the hearing of those cases to the fullest extent possible.

(e) *Statewide concern.* The legislature finds that the overall organization of state correctional facilities is a matter of statewide concern. The establishment of any state correctional facility, including any new metropolitan correctional institution, is a matter of general, statewide interest to the public.

(32m) NEW METROPOLITAN CORRECTIONAL INSTITUTIONS; ENVIRONMENTAL IMPACT; SCHEDULE. (a) *Definition.* In this subsection, "new metropolitan correctional institution" means any correctional institution in a city having a population of 500,000 or more the site for which is designated by the legislature by statute on or after the effective date of this subsection, but prior to January 1, 1985.

(b) *Applicability.* The requirements, exemptions, provisions and procedures of this subsection apply only to activities or actions relating to any new metropolitan correctional institution. For these correctional institutions, the requirements, exemptions, provisions and procedures of this subsection apply notwithstanding section 1.11 or chapter 227 of the statutes to the contrary.

(c) *Preliminary activities.* The department of health and social services, department of administration, state building commission or any other state agency may engage in preliminary activities related to the establishment of any new metropolitan correctional institution such as acquisition of land or property, preliminary planning, engineering design activities, architectural planning, preparation of final plans, application for permits or approvals at the same time the department of health and social services is determining the necessity for an environmental impact statement or preparing an environmental impact statement.

(d) *Construction or operation.* Except as provided in this subsection, the department of health and social services shall comply with the requirements of section 1.11 of the statutes prior to on-site construction or renovation of any new metropolitan correctional institution.

(e) *Cost of preliminary activities not to be considered in determining environmental impact.* The cost of, any obligation resulting from or the consequences of any preliminary activity under paragraph (c) occurring or engaged in prior to the approval of the final environmental impact statement for any new metropolitan correctional institution shall not be considered an economic cost or disadvantage, a cost to be evaluated in any cost-benefit analysis or a limitation on alternatives to be considered and shall not bias any determination of the environmental impact of the establishment of that institution or the adequacy of any environmental impact statement prepared for that institution.

(f) *Environmental impact hearing.* No hearing on an environmental impact statement prepared for any new metropolitan correctional institution is to be conducted or treated as a contested case, as defined under section 227.01 (2) of the statutes. The department of health and social services shall conduct an informational hearing on any environmental impact statement prepared for any new metropolitan correctional institution. This hearing is to be conducted solely for the purpose of providing information and soliciting comments, materials and testimony to assist the legislature and the department.

(g) *Planning, design and construction schedule.* The department of health and social services shall expedite the planning, design and construction of any new metropolitan correctional institution and attempt to reasonably comply with the following schedule:

1. Begin facility planning within one month after the effective date of the act specifying the site.
2. Begin preliminary design activities within 3 months after the effective date of the act specifying the site.
3. Release a draft environmental impact statement within 6 months after the effective date of the act specifying the site.

4. Release a final environmental impact statement within 8 months after the effective date of the act specifying the site.

5. Conduct the public hearing on the final environmental impact statement beginning not later than 9 months after the effective date of the act specifying the site and ending not later than 10 months after the effective date of the act specifying the site.

6. Issue a final decision on whether to proceed with construction of the new metropolitan correctional institution within 11 months after the effective date of the act specifying the site.

7. Complete design activities within 11 months after the effective date of the act specifying the site.

8. Prepare, in cooperation with the department of administration, applications for bid submission and advertise for bids for the construction of the new metropolitan correctional institution within 13 months after the effective date of the act specifying the site.

9. Establish, in cooperation with the department of administration, appropriate deadlines for bid submissions and the award of bids in order that construction of the new metropolitan correctional institution may begin as directed by the state building commission.

(h) *Cooperation by other state agencies.* The department of natural resources, department of industry labor and human relations, department of administration, department of transportation, state building commission and any other state agency shall provide assistance requested by the department of health and social services in meeting the schedule established under paragraph (g).

(32r) **MINORITY BUSINESS ENTERPRISES CONTRACTING.** (a) In this subsection:

1. "Minority business enterprise" means a business which is either of the following:

a. A sole proprietorship legitimately owned and controlled by an individual who is a minority group member.

b. A partnership, joint venture or corporation in which at least 51% of the beneficial ownership interest is legitimately held by minority group members and in which at least 51% of the voting interest is legitimately held by minority group members.

2. "Minority group member" means a Black American, Hispanic American, American Indian or Asian American.

3. "Women's business enterprise" means a business which is either of the following:

a. A sole proprietorship legitimately owned and controlled by a woman.

b. A partnership, joint venture or corporation in which at least 51% of the beneficial ownership interest is legitimately held by women and in which at least 51% of the voting interest is legitimately held by women.

(b) Notwithstanding section 16.855 (1) and (14) of the statutes, the department of administration shall attempt to ensure that for expenditures for each fiscal year for the construction of the medium/maximum security correctional institution under section 46.05 (1o) of the statutes, as created by this act, both of the following requirements are met:

1. At least 15% of the total amount expended is awarded to contractors and subcontractors which are determined by the department of development to be minority business enterprises.

2. At least 5% of the total amount expended is awarded to contractors and subcontractors which are determined by the department of administration to be women's business enterprises.

(c) No bid under paragraph (b) may be awarded to a business whose bid exceeds the apparent low bid by more than 5% or to a business included on the list of labor law violators compiled by the department of industry, labor and human relations under section 101.245 of the statutes.

(d) Paragraph (b) does not apply if, after an attempt by the department of administration to locate minority and women's business enterprises, the department of administration determines that due to a shortage or lack of such businesses it will be unable to comply. The department shall document its attempts to locate minority and women's business enterprises.

(33) FOSTER HOME PLACEMENT STUDY. The department of health and social services shall investigate the financial savings to this state and to counties that would result from removing children and adults from institutions, nursing homes and hospitals and placing them in foster homes, and from preventing the institutionalization of children and adults through the use of foster home placements, and shall also determine if the current foster care rates, including maintenance, supplemental and exceptional payments, are adequate to encourage residents of this state to become foster parents for children and adults who require exceptional foster care services. The department of health and social services shall report its findings and determination to the presiding officer of each house of the legislature by January 1, 1984.

**SECTION 2022. Nonstatutory provisions; higher educational aids board.**

(2) CORRECTION OF OVERDRAFTS. If the revenues to fund the appropriation under section 20.235 (1) (n) of the statutes are insufficient or unavailable to correct the overdrafts occurring in the 1982-83 fiscal year under section 20.235 (1) (m) of the statutes, the higher educational aids board may utilize federal special allowance revenues in excess of budgeted administrative program expenditures to correct such overdrafts, after paying or providing for the payment of all obligations pledged to be paid with federal special allowance revenues for revenue obligations issued under subchapter II of chapter 18 of the statutes.

**SECTION 2023. Nonstatutory provisions; historical society.**

(2) BOARD OF CURATORS. Notwithstanding section 15.70 (4) of the statutes, as created by this act, one of the initial members of the board of curators of the state historical society under section 15.70 (4) of the statutes, as created by this act, shall be appointed for a one-year term, one shall be appointed for a 2-year term and one shall be appointed for a 3-year term. Thereafter, all members appointed under section 15.70 (4) of the statutes, as created by this act, shall serve for terms prescribed in section 15.70 (4) of the statutes, as created by this act.

(3) DIVISION OF HISTORIC SITES; USE OF CURRENT POSITIONS. The board of curators of the state historical society shall allocate 4.0 GPR positions existing in the state historical society immediately preceding the effective date of this act, including the administrator of the division of historic sites, to the division of historic sites, as created by this act, on the effective date of this act, to be funded from the appropriation under section 20.245 (2) (a) of the statutes, as created by this act. Notwithstanding the treatment of section 230.08 (2) (c) of the statutes and the creation of section 230.08 (2) (e) 5m of the statutes by this act, this act does not authorize any new positions for the historical society.

**SECTION 2025. Nonstatutory provisions; industry, labor and human relations.**

(1) GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE TRANSFER. (a) On the effective date of this act, all employes of the governor's employment and training office attached to the department of industry, labor and human relations are transferred to the governor's employment and training office attached to the office of the governor and retain the rights and status possessed immediately before the effective date of this act.

(b) On the effective date of this act, all records of the department of industry, labor and human relations relating to the governor's employment and training office are transferred to the office of the governor.

(2) NEW HOME SUPERINSULATION RULE. The department of industry, labor and human relations shall submit the rules required under sections 101.63 (1m) and 101.73 (1m) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes, no later than the first day of the 18th month commencing after the effective date of this act.

(3) RENEWABLE ENERGY RESOURCE SYSTEM INCENTIVE PROGRAM TRANSFER. (a) On the effective date of this subsection, all records of the department of industry, labor and human relations relating to the renewable energy resource system incentive program under section 101.57 of the statutes are transferred to the department of administration.

(b) On the effective date of this subsection, all positions, material, supplies and capital equipment of the department of industry, labor and human relations which are used primarily for the administration of the renewable energy resource system incentive program under section 101.57 of the statutes are transferred to the department of administration. The secretary of administration shall develop a plan for the orderly transfer thereof. Employees transferred to the department of administration shall retain all the rights and status which they enjoy in the department of industry, labor and human relations immediately prior to the effective date of this subsection.

(c) All rules and orders issued and all contracts entered into by the department of industry, labor and human relations pursuant to its functions under section 101.57 of the statutes prior to the effective date of this subsection shall remain in full force and effect until modified or rescinded by the department of administration.

(d) Immediately after the effective date of this subsection, the secretary of administration and the secretary of industry, labor and human relations shall cooperate to the end that the transfer of functions provided by this subsection will be efficiently effected.

#### SECTION 2026. Nonstatutory provisions; insurance.

**Vetoed  
in Part**

(1) PPO RULES. (a) ~~The commissioner of insurance shall prepare proposed rules requiring preferred provider plans to select providers who are the lowest cost responsible bidders under a competitive bidding process. The proposed rules shall be submitted to the governor and the joint committee on finance. If the governor and the joint committee on finance do not approve the proposed rules before May 1, 1984, the commissioner may not conduct further rule-making proceedings on the proposed rules. This paragraph controls in the event of conflict with chapter 227 of the statutes.~~

(b) Notwithstanding chapter 227 of the statutes, the commissioner of insurance shall, after notice and hearing, adopt temporary rules implementing section 628.36 (2a) (f) of the statutes, as created by this act, if permanent rules adopted under chapter 227 of the statutes are not adopted before July 1, 1984. The temporary rules are effective until superseded by permanent rules adopted under chapter 227 of the statutes. The commissioner shall submit proposed permanent rules to the legislature by April 1, 1984.

#### SECTION 2031. Nonstatutory provisions; judicial council.

(1) REIMBURSEMENT FOR CHILDREN'S LEGAL SERVICES; REPORT. The judicial council shall, by January 15, 1984, submit to the legislature a report evaluating the efforts by counties under section 48.275 (2) of the statutes to collect reimbursement from parents and guardians for the cost of legal counsel provided to children by this state and counties. The report shall include suggestions for changing the statutes to increase the effectiveness of the counties' efforts.

#### SECTION 2032. Nonstatutory provisions; justice.

(1m) CRIMINAL HISTORY AUTOMATION. The department of justice shall report on the status of its criminal history automation project to the presiding officer of each house of the legislature by July 1, 1984.

SECTION 2033. **Nonstatutory provisions; legislature.**

(2) LEGISLATIVE AUDIT BUREAU; NONPOINT SOURCE PROGRAM STUDY. (a) *Requirement.* The legislative audit bureau shall conduct a study on the nonpoint source water pollution abatement program.

(b) *Contents.* This study shall include:

1. A report on the extent of voluntary participation in the nonpoint source water pollution abatement program in the Hay river and Elk river watershed areas.

2. An analysis of the minimum participation required for an effective nonpoint source water pollution abatement program including an assessment of the anticipated impact at different levels of participation based upon the department of natural resources evaluation of this program in the Hay river and Elk river watershed areas.

3. A summary of the impact of this program on water quality in the Hay river and Elk river watershed areas.

(c) *Submission.* The legislative audit bureau shall submit this study on the nonpoint source water pollution abatement program to the governor and the joint committee on finance on or before January 1, 1984.

(3) RENEWABLE ENERGY RESOURCE SYSTEM INCENTIVE PROGRAM STUDY. The legislative council is requested to study the renewable energy resource system incentive program in the department of administration under section 16.957 of the statutes, as affected by this act. The council is requested to evaluate the effectiveness of the program in promoting the use of renewable energy resource systems in this state, and, based upon its findings, recommend to the legislature any changes in existing law or new policies which would maximize the role of the legislative and administrative branches in effecting the replacement of traditional fuel with renewable energy resources within this state. The legislative council is requested to submit a report on its findings and recommendation to the presiding officer of each house of the legislature by January 1, 1985.

~~(3d) LEGISLATIVE COUNCIL; SCHOOL AID FORMULA STUDY. The legislative council is requested to study the school aid formula, including the possible incorporation of income as a factor in determining the amount of state aid payments to school districts.~~

**Vetoed  
in Part**

(3m) LEGISLATIVE COUNCIL; HEALTH CARE PROVIDER STUDY. The legislative council is requested to appoint a study committee which shall:

(a) Determine whether there are actual or potential problems with the operation of health maintenance organizations in this state and report its findings and recommendations to the legislature by October 1, 1983.

(b) Determine whether there are potential problems with the operation of preferred provider organizations in this state and report its findings and recommendations to the legislature by February 1, 1984.

(c) Examine the merits of a requirement that preferred provider organizations select the lowest cost providers under a competitive bidding process and report its findings and recommendations to the legislature by February 1, 1984.

~~(4) MAPS TO BE PRINTED, LEGISLATURE. In preparing that portion of this act relating to redistricting the senate and assembly for publication in the bound volumes of the session laws the legislative reference bureau shall, and in preparing such for incorporation into the statutes the revisor of statutes shall, in cooperation with the department of administration procure suitable maps to illustrate the configuration of each senate district under subsections (1) to (33) of section 4.009 of the statutes as affected by this act and of each assembly district under sections 4.01 to 4.99 of the statutes as affected by this act.~~

**Vetoed  
in Part**

(5) **LEGISLATIVE COUNCIL; PEACE OFFICER STUDY.** The legislative council is requested to study the problem of the use of excessive force or physical abuse by peace officers. The council is requested to consider various methods of alleviating those problems and to submit a report on its findings and recommendations to the presiding officer of each house of the legislature by January 1, 1985.

**SECTION 2036. Nonstatutory provisions; military affairs.**

(1) **REPORT OF EFFECT OF NEW POSITION.** No later than 210 days after the date of hire of the person filling the position added to the department of military affairs by this act for the purpose of administering state-federal cooperative funding contracts, the department of military affairs shall submit a report to the joint committee on finance describing the effect of the position on the administration of the funding contracts during the first 180 days after the position is filled.

**SECTION 2038. Nonstatutory provisions; natural resources.**

(3) **INITIAL MEMBERSHIP ON THE WISCONSIN CONSERVATION CORPS BOARD.** Notwithstanding section 15.345 (4) (d) of the statutes, as created by this act, 3 initial members appointed to the Wisconsin conservation corps board shall serve terms which expire on May 1, 1989, 2 initial members shall serve terms which expire on May 1, 1987, and 2 initial members shall serve terms which expire on May 1, 1985. The governor shall specify which initial member is to serve what term.

(3m) **NONPOINT SOURCE APPROPRIATIONS.** The amounts in the schedule for the appropriation under section 20.370 (4) (cc) of the statutes, as affected by this act, for fiscal year 1984-85 may not be expended until:

(a) The department of natural resources submits to the governor and the joint committee on finance on or before January 1, 1984, a request for any funding necessary for the nonpoint source water pollution abatement program for fiscal year 1984-85 up to the amount in the schedule for the appropriation under section 20.370 (4) (cc) of the statutes and a justification of that request; and

(b) The joint committee on finance approves the expenditure at its first regular quarterly meeting during 1984 under section 13.10 of the statutes.

(4) **GROUNDWATER PROTECTION STANDARDS APPROPRIATION.** Of the amounts in the schedule for the appropriation under section 20.370 (2) (ma) of the statutes, \$55,600 for fiscal year 1984-85 may not be expended until the department of natural resources requests the release of these moneys, the joint committee on finance determines that legislation for the development of groundwater protection standards has been enacted and the joint committee on finance approves the expenditure acting under section 13.10 of the statutes.

(5) **MID-STATE LANDFILL SITE; STUDY.** The department of natural resources shall conduct a study of the environmental damage resulting from the Mid-state landfill site in the town of Cleveland in Marathon county and plan actions to remedy or abate this damage.

(6) **ABANDONED LANDFILL SITES; INVENTORY AND INSPECTION PLAN.** The department of natural resources shall prepare a statewide inventory of abandoned landfill sites. In preparing this inventory the department of natural resources shall collect information concerning abandoned landfill sites without conducting field inspections. The department of natural resources shall prepare a plan for field inspections, site evaluations and remedial actions at sites identified in the inventory. The department of natural resources shall submit the inventory of abandoned landfill sites and the plan for inspections, evaluations and actions to the governor and the legislature at the time the department submits its 1985-87 biennial budget request under section 16.42 of the statutes.

(7) **RADIOACTIVE WASTE SITE EXPLORATION; LEGISLATIVE FINDINGS.** The legislature finds that:

(a) The physical process of drilling and obtaining core samples for the purpose of determining the suitability of an area for a radioactive waste disposal site is similar to and may be identical to the physical process of drilling and obtaining core samples for mineral exploration purposes.

(b) An extensive regulatory program exists under current law with respect to mineral exploration.

(c) Regulation of radioactive waste site exploration in a manner similar to the regulation of mineral exploration is necessary in order to protect the health and safety of the citizens of this state, to promote the general welfare, to protect the environment, to assist in land use planning, to provide information to the public concerning the state's geology, to provide basic information concerning the appropriateness of certain areas of the state for hazardous waste facility sites or state or regional low-level radioactive waste disposal sites and to ensure that state agencies have as much geological data and information as possible where that data and information are relevant to their functions.

(d) Regulation of radioactive waste site exploration in a manner consistent with the regulation of other activities affecting groundwater is necessary because of the threat of contamination inherent in any deep drilling activity and because of the importance of groundwater purity to this state and its citizens.

(e) Regulation of radioactive waste site exploration in a manner similar to the regulation of mineral exploration would not impose an excessive burden on persons engaged in this activity.

(8) THUNDER MOUNTAIN STATE PARK. (a) *Conveyance*. Upon payment by Marinette county of \$1 within 2 years after the effective date of this subsection, the department of natural resources, acting on behalf of the state of Wisconsin, shall cede, grant and convey all rights, title and interest in Thunder Mountain state park, subject to the conditions and provisions of paragraph (c), to Marinette county.

(b) *Description of land to be conveyed*. The land to be conveyed under paragraph (a) is the state park in Marinette county designated as Thunder Mountain state park. The department of natural resources shall prepare a legal description of this land providing greater detail prior to conveying the land to Marinette county under paragraph (a).

(c) *Conditions and reversion*. The land to be conveyed to Marinette county under paragraph (a) is to be used for recreational purposes and if that land is not used for these purposes or ceases to be used for these purposes, title to this land shall revert to the state.

(d) *Nonapplicability of joint finance approval*. Section 27.01 (3) of the statutes, as affected by this act, does not apply to the conveyance under paragraph (a).

(9) RECYCLING AND RESOURCE RECOVERY LOAN PROGRAM LEGISLATIVE DECLARATION. For the purpose of the creation of section 144.796 of the statutes by this act and the creation of subsection (18), it is declared that:

(a) The generation of solid waste is a fact of modern society and presents a serious and increasing problem of how to dispose of this waste.

(b) The unregulated land disposal of solid waste creates an unacceptable risk to the public health, safety and welfare and causes damage to the environment and, while the disposal of solid waste at approved facilities minimizes these risks and damages, no operation for the land disposal of solid waste can eliminate these dangers. The land disposal of solid waste may create long-term risks and damages which cannot be foreseen when the facility is constructed or operated.

(c) Recycling of solid waste and recovery of resources from solid waste provides an alternative to the land disposal of solid waste, reduces the volume of solid waste which must be disposed of at landfill sites and helps to conserve resources and energy thereby fulfilling a legitimate state interest.

Vetoed  
in Part

**Vetoed  
in Part**

~~(d) Adequate private capital has been unable to satisfy the need for recycling and resource recovery projects.~~

~~(e) The problem of the disposal of solid waste and the encouragement of recycling and resource recovery projects are matters of statewide concern and justify the establishment of a recycling and resource recovery loan program.~~

~~(f) The establishment of a recycling and resource recovery loan program which provides low-interest loans on a long-term basis is especially appropriate for recycling and resource recovery projects because of the large capital investment required and the extended useful life of these projects.~~

~~(g) County recycling and resource recovery projects are to be encouraged to the maximum extent feasible consistent with uniform state policies.~~

~~(h) Special provisions and priorities for the recycling and resource recovery projects in counties which were involved in negotiations with the Wisconsin solid waste recycling authority under chapter 232, 1981 stats., are justified because of the advanced stage of development of those projects project and because of the impact of abolishing the solid waste recycling authority.~~

~~(10) RECYCLING AND RESOURCE RECOVERY LOAN PROGRAM, INITIAL PROJECTS. After January 1, 1985, the department of natural resources shall provide low-interest loans in an amount not less than \$40,000,000 for the solid waste recycling and resource recovery projects under section 144.796 of the statutes, as created by this act, for counties which were involved in negotiations with the Wisconsin solid waste recycling authority under chapter 232, 1981 stats., and are located in areas for which the authority received a federal solid waste management planning grant from the federal environmental protection agency if bond revenue funds are available for this purpose and if the counties are prepared to begin construction within 6 months after the loans are made.~~

(11) WILD GINSENG DEALER LICENSE; TRANSITION PROVISION. Notwithstanding the creation of section 29.093 (11) (c) of the statutes and the treatment of section 29.547 (7) of the statutes by this act, a wild ginseng dealer license in effect on July 1, 1983, or the day following publication of this act, whichever is later, remains valid until June 30, 1984.

**SECTION 2041. Nonstatutory provisions; public defender board.**

(1) REIMBURSEMENT FOR CHILDREN'S LEGAL SERVICES. The office of the state public defender shall provide each county with the following information:

(a) The procedures used by the office to make indigency determinations under section 977.07 of the statutes.

(b) Guidelines on how to apply the procedures under paragraph (a) in making indigency determinations under section 48.275 (2) (b) and (c) of the statutes, as affected by this act.

(c) Procedures for counties to use in determining the amount of reimbursement a court shall order under section 48.275 (2) (b) or (c) of the statutes, as affected by this act, including the way in which a county may obtain information on costs incurred by the office of the state public defender in representing juvenile clients.

**SECTION 2042. Nonstatutory provisions; public instruction.**

(1) COST CONTROL ADJUSTMENT FILING DEADLINE EXCEPTION. Any school board required to make unbudgeted payments of employe salary or fringe benefits for the period commencing July 1, 1981, and ending on June 30, 1983, as a result of a negotiated collective bargaining agreement or a decision of a mediator-arbitrator under section 111.70 (4) (cm) of the statutes may file a request with the state superintendent of public instruction under section 121.91 (3) (a), 1981 stats., for an adjustment of the school district's controllable cost per member. The filing deadline under section 121.91 (3m), 1981 stats., does not apply to requests under this subsection.

(2) STATE AID DISTRIBUTION SCHEDULE. Of the amounts to be distributed to school districts under section 121.15 (1) (a) of the statutes in June 1984, \$70,000,000 shall instead be distributed in July 1984.

(4) REORGANIZATION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES. (a) With the advice and participation of school board representatives, school district administrators and cooperative educational service agency administrators, the state superintendent of public instruction shall reorganize the 19 cooperative educational service agencies into 12 cooperative educational service agencies. The reorganization shall be effective July 1, 1984. A criterion for reorganization shall be geographical contiguity.

(b) Within 60 days after the effective date of this paragraph, the state superintendent of public instruction shall prepare a map of the state indicating the 12 reorganized cooperative educational service agency areas.

(c) 1. Except as provided under subdivisions 2 and 3, the assets and liabilities, including employment contracts, of the existing cooperative educational service agencies shall be distributed among the reorganized cooperative educational service agencies, effective July 1, 1984, by agreements made among the existing boards of control. The agreements shall be based upon the use made of agency services by the school districts within each agency. A copy of each such agreement shall be sent to the state superintendent of public instruction for the superintendent's approval by April 30, 1984. If no agreement is reached by the boards of control by April 30, 1984, the state superintendent of public instruction shall distribute the assets and liabilities among the reorganized cooperative educational service agencies.

2. The assets and liabilities associated with real property shall be assigned by contract as ownership shares, effective July 1, 1984, to the school boards that were parties to the purchase of the real property. A copy of each such contract shall be sent to the state superintendent of public instruction by April 30, 1984, for the superintendent's approval. Title to the real property shall transfer to the cooperative educational service agency in which it is located on July 1, 1984. Upon sale of the property, the assets and liabilities shall be distributed as ownership shares.

3. The assets and liabilities associated with regional data processing equipment shall be assigned by contract as ownership shares, effective July 1, 1984, to the school boards that were parties to the purchase of the equipment. Any disagreements arising between school boards under this subdivision shall be submitted to the state superintendent of public instruction for resolution.

**Vetoed  
in Part**

(d) All contracts for services entered into by a board of control of a cooperative educational service agency under section 116.03 (3), 1981 stats., prior to July 1, 1984, which extend beyond July 1, 1984, shall on July 1, 1984, be treated as obligations of the board of control of the appropriate reorganized cooperative educational service agency.

(e) All proceedings before a board of control of a cooperative educational service agency under section 116.07 of the statutes pending on July 1, 1984, shall be treated as proceedings before the board of control of the appropriate reorganized cooperative educational service agency.

(f) No contract of employment entered into or extended by a board of control of a cooperative educational service agency after the effective date of this paragraph but prior to July 1, 1984, may extend beyond July 1, 1984.

(g) Any real property purchased by a board of control of a cooperative educational service agency prior to July 1, 1984, shall be treated as real property acquired under section 116.055 of the statutes, as created by this act, effective July 1, 1984.

(h) The representative of cooperative educational service agency employes affected by the reorganization of the agencies may bargain collectively over the impact of the reorganization. Notwithstanding section 111.70 (4) (cm) of the statutes, if the parties to a

collective bargaining agreement reach a deadlock in collective bargaining over the impact of reorganization, either party may petition for mediation-arbitration under section 111.70 (4) (cm) of the statutes.

(5) **ELIMINATION OF AGENCY SCHOOL COMMITTEES.** (a) Jurisdiction of an agency school committee to act in a school district reorganization proceeding ceases on July 1, 1984.

(b) All proceedings before the state appeal board pending on July 1, 1984, shall be treated as proceedings before the school district boundary appeal board.

(6) **SCHOOL DISTRICT BOUNDARY APPEAL BOARD.** Notwithstanding section 15.375 (2) of the statutes, as created by this act, 4 of the initial members of the school district boundary appeal board shall be appointed for terms expiring on May 1, 1985, and 4 of the members shall be appointed for terms expiring on May 1, 1986. Thereafter, all members shall serve for terms prescribed in section 15.375 (2) of the statutes, as created by this act.

(7) **POSITION AUTHORIZATION.** The authorized FTE positions for the department of public instruction are increased by 0.212 GPR positions on the effective date of this act, to be funded from the appropriation under section 20.255 (1) (b) of the statutes, for the support of the residential schools.

(8) **TEMPORARY BORROWING BY SCHOOL BOARD.** Notwithstanding section 67.12 (8) of the statutes, a school board may, during the 1983-84 school year, borrow a total amount that exceeds one-half the estimated receipts for the operation and maintenance of the school district in the 1983-84 school year by an amount equal to the school district's proportionate share of the amount of school aid designated for payment in July 1984 under subsection (2) plus an amount equal to 10% of the property taxes levied by the school district in 1983, payable in 1984.

**SECTION 2043. Nonstatutory provisions; public service commission.**

(1) **FEDERAL INTERVENTION.** From the appropriation under section 20.155 (1) (g) of the statutes, as affected by this act, the public service commission may not expend more than \$175,000 in fiscal year 1983-84 nor more than \$175,000 in fiscal year 1984-85 for legal representation before agencies of the United States which have jurisdiction over matters affecting rates for public utility service in this state unless the joint committee on finance, under section 13.10 of the statutes, has approved an additional expenditure for such representation.

(2) **AUTOMATIC FUEL ADJUSTMENT PROVISIONS.** The public service commission shall submit the rule required under section 196.20 (4) (d) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes, no later than 120 days after the effective date of this act.

(3) **POSITION REALLOCATION.** *On January 1, 1984, there is reallocated 0.5 FTE PR engineering position for the public service commission to provide services for the commission under section 144.794 (9) (b), (14) (e) and (15) of the statutes, as created by this act, from the public service commission's general position authorizations.*

**Partial  
Veto  
Overruled**

**SECTION 2044. Nonstatutory provisions; regulation and licensing.**

(1) **STANDARD FEE SCHEDULE STUDY.** The department of regulation and licensing shall determine if the standard fee schedule under section 440.05 of the statutes should be revised, particularly as to examination fees and to providing more discrete license fee groupings. The department of regulation and licensing shall report its determinations and recommendations to the legislature by July 1, 1984.

**SECTION 2045. Nonstatutory provisions; revenue.**

(3) **EXPERT ASSESSMENT HELP.** Notwithstanding the amendment of section 70.055 (4) of the statutes by this act, the department of revenue shall continue to provide aid to any municipality that requested the assistance of a departmental employe for expert assessment until the assessment is completed if the department of revenue began providing this aid on or before the date this act is published.

(9) ACCOUNTING SERVICES BUREAU. Of the amounts in the schedule for the appropriation under section 20.566 (2) (g) of the statutes, the department of revenue may not expend \$1,864,300 for fiscal year 1984-85 without the approval of the joint committee on finance acting under section 13.10 of the statutes. On or before March 31, 1984, the department of revenue shall report to the joint committee on finance on the deficit of the accounting services bureau.

(12) INTOXICATING LIQUOR RATE CHANGES. The rate changes under section 139.03 (2t) of the statutes on the first day of the 2nd month beginning after publication of this act do not apply to intoxicating liquor held in the inventory of any retailer as defined in section 139.01 (8) of the statutes.

(13) LEVY LIMITS. Notwithstanding the treatment of sections 60.175, 61.46 (3), 62.12 (4m), 65.07 (2), 70.62 (4) and 79.08 (3) of the statutes by this act, the department of revenue shall continue to subtract excess levies from shared revenue distributions until the excess amount is fully recovered. The amount reduced shall continue to remain in the municipal and county shared revenue account and become part of the funds to be distributed from that account in the next distributions.

(14) REVIEW OF ASSESSMENT PRACTICES; POSITION CHANGE. On July 1, 1985, the authorized FTE positions for the department of revenue are decreased by 6.0 PRO positions and increased by 6.0 GPR positions to reflect the transfer of funding for reviews of local assessment practices from program revenue to general purpose revenue.

(15) STUDY OF COMBINED REPORTING. The department of revenue shall study the fiscal and administrative effects of requiring corporations to combine their income with the income of their affiliates for purposes of the income and franchise taxes. That study shall deal with both domestic and worldwide combination. The department of revenue shall report the results of its study on or before July 1, 1984, to the presiding officers of each house of the legislature.

(16) STATEMENT OF ESTIMATED SHARED REVENUE PAYMENTS. Notwithstanding the treatment of section 79.015 of the statutes by this act, the department of revenue shall, on or before September 15, 1983, provide to each municipality and county a statement of estimated payments to be made in calendar year 1984 to the municipality or county under sections 79.03, 79.04 and 79.06 of the statutes, as those statutes will appear on January 1, 1984. These statements of estimated payments shall also include estimates of the amount of special adjustment repayments under section 79.085 (3) of the statutes and repayments of amounts withheld under section 79.085 (5) of the statutes.

**SECTION 2051. Nonstatutory provisions; transportation.**

(1m) LOCAL TRANSPORTATION AIDS. Notwithstanding sections 86.30 and 86.303 of the statutes, the local transportation aid payments for July 1983, and October 1983 shall be distributed as set forth under this subsection:

(a) *Amount of aids.* Except as adjusted under paragraph (b), the department of transportation shall make payments to each county and municipality in July 1983 and October 1983 equal to the payments made from the appropriations under section 20.395 (1) (aq) and (ar), 1981 stats., in January 1983 and April 1983 for the purpose of section 86.30, 1981 stats.

(b) *Adjustments.* 2. If a county or municipality received reduced transportation aids for fiscal year 1982-83 under section 86.30 (4) (a), 1981 stats., because of insufficient funds appropriated under section 20.395 (1) (ar), 1981 stats., the payments shall be the amount of transportation aids which the county or municipality would have been entitled to before the fiscal year 1982-83 aids adjustment calculations.

3. The July and October 1983 payments shall be made from the appropriation under section 20.395 (1) (aq) of the statutes.

3m. If the department of transportation is unable to make the adjustments under subdivision 2 in the July 1983 payment, the July 1983 payment shall be made at the scheduled time without the adjustment and the adjustment for July and October of 1983 shall be included in the October 1983 payment.

4. For purposes of determining any aid adjustment in calendar year 1984 under section 86.303 (5) (e) or (7) (b) of the statutes, the payments made under this subsection shall be deemed to be payments under section 86.30 (4), 1981 stats.

(1s) TRANSPORTATION AIDS SUPPLEMENT FOR COUNTIES. (a) 1. In 1984, the department of transportation shall provide a supplement to any county whose 1984 minimum aid level, as determined under paragraph (b) 1, exceeds the local transportation aids, as determined under section 86.30 of the statutes, for that county for 1984.

2. In 1985, the department of transportation shall provide a supplement to any county whose 1985 minimum aid level, as determined under paragraph (b) 2, exceeds the local transportation aids, as determined under section 86.30 of the statutes, for that county for 1985.

(b) 1. For 1984, a county's minimum aid level shall equal an amount which is 3% greater than the amount obtained by adding the supplement payment received by the county in 1983 under laws of 1981, chapter 20, section 2051 (17) and 2 times the local transportation aid payments received by the county under subsection (1m).

2. For 1985, a county's minimum aid level shall equal an amount which is 3% greater than the 1984 minimum aid level determined under subdivision 1 for the county.

(c) The amount distributed under this subsection shall be the amount by which the county's minimum aid level for the year exceeds the county's local transportation aids for the year.

(d) Any county whose aid under section 86.30 of the statutes exceeds the minimum aid level amount shall receive the amount provided under section 86.30 of the statutes.

(e) The limitations under section 86.30 (4) (c) of the statutes apply to the supplement payments under this subsection.

(f) The supplement shall be paid from the appropriation under section 20.395 (1) (av) of the statutes.

(g) The department shall pay the supplement under this subsection by a separate check mailed to each county on or before the first Monday in April of 1984 and 1985.

(h) Any supplement paid under this subsection shall be expended for transportation purposes and the requirements of section 86.30 (4) (c) apply.

(i) If the amount appropriated under section 20.395 (1) (av) of the statutes is insufficient to pay the aids distribution under this subsection, the department shall prorate the amount appropriated in the manner it deems desirable.

(2) MUNICIPAL AND COUNTY VEHICLE REGISTRATION FEE. The department of transportation shall begin collecting fees under section 341.35 (5) of the statutes, as affected by this act, for vehicles being registered for a registration period beginning January 1, 1984, or the first day of the 6th month following publication of this act, whichever is later.

(3) RAIL PROGRAM RULES. The department of transportation shall submit the proposed rules required by section 85.075 of the statutes to the presiding officer of each house of the legislature under section 227.018 (2) of the statutes no later than the first day of the 4th month following publication of this act.

(5) LAPSES TO THE TRANSPORTATION FUND. (a) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1983, or the day following publication of this act, whichever is later, there shall lapse to the transportation fund \$4,400,000 from the appropriation under section 20.395 (2) (bq), 1981 stats., \$6,000,000 from the appropriation under sec-

tion 20.395 (3) (bq), 1981 stats., and \$2,000,000 from the appropriation under section 20.395 (3) (dq), 1981 stats.

(b) For the purpose of closing out accounts, the lapse of the funds under this subsection shall be treated as if the lapse occurred on June 30, 1983.

(6) AIDS FOR SPECIALIZED TRANSPORTATION ASSISTANCE. Notwithstanding any other provision of law or any contract between the department of transportation and a county, a county may retain and hold in trust, for the exclusive purpose of acquiring or maintaining equipment used for services under section 85.21 of the statutes, all aids received under section 85.21, 1981 stats., between January 1, 1983, and the effective date of this subsection. All aids held in trust under this subsection, as well as any accumulated interest, not expended for the authorized purposes, shall be returned to the department of transportation for deposit in the transportation fund. Nothing in this subsection entitles a county to any investment interest accumulated prior to the time the aid payment is actually received by the county.

(7m) STADIUM FREEWAY SOUTH. (a) 1. The department of transportation is directed to remove from the state trunk highway system a highway in the county of Milwaukee extending from the intersection with National Avenue southerly along the proposed Stadium Freeway South to the intersection with the Airport Freeway, a total of approximately 4.5 miles.

2. Notwithstanding section 59.965 of the statutes, the section of highway in the county of Milwaukee extending from the intersection with National Avenue southerly along the proposed route of the Stadium Freeway South to the intersection with the Airport Freeway, a total of approximately 4.5 miles, which is designated as part of the Milwaukee county expressway system under section 59.965 of the statutes, is removed from the Milwaukee county expressway system.

(b) 1. a. The secretary of development shall conduct a study and develop a plan for the disposition of lands and property acquired for the Stadium Freeway South in the Milwaukee county expressway system. In conducting the study and developing the plan, the secretary of development shall consult with the secretary of transportation, the county of Milwaukee and each municipality in which the lands and property are located.

b. The study shall include: 1) the effects of all alternatives on the lands in and adjacent to the corridor and the effects of all alternatives on the regional transportation plan; 2) the use to be made of lands previously acquired but not to be used for transportation purposes and shall recommend a disposition plan for these lands; and 3) a recommendation as to whether or not the highway added to the state trunk highway system under SECTION 1799e of this act should remain on the state trunk highway system.

c. The cost of the study shall be paid from the appropriation under section 20.395 (5) (aq) of the statutes.

d. The disposition plan must include provisions for: 1) traffic flow to and from the existing freeways; 2) designation of certain appropriate lands or property as public parks; and 3) designation of the governmental unit or units which will be responsible for carrying out the disposition of the lands and property under subdivision 2.

e. Before approving the disposition plan, the secretary of development shall hold a public hearing in the county of Milwaukee on the proposed plan. The secretary shall mail a notice stating the time and place of the hearing and a copy of the proposed plan to any interested governmental unit at least 30 days before the hearing. The secretary shall also publish a copy of the notice, including a copy of the proposed plan, as a class 2 notice under chapter 985 of the statutes within the county of Milwaukee. The first publication shall be at least 30 days prior to the date of the hearing.

**Vetoed  
in Part**

f. The secretary of development shall submit the study results and disposition plan required under this paragraph to the presiding officer of each house of the legislature, the governor, the county of Milwaukee and the municipalities in which the lands and properties are located ~~no later than January 1, 1984.~~

2. Notwithstanding any other provision of law, upon approval of the disposition plan by the secretary of development, the governmental unit or units designated under the plan to carry out the disposition, acting as agent for the state, shall dispose of all interests in lands and property previously acquired and held in trust for the state for the Stadium Freeway South in the Milwaukee county expressway system by conveyance or otherwise as provided in the disposition plan and under such terms as the governmental unit or units deem reasonable and in the public interest. The governmental unit or units may dispose of the lands and property by public or private sale or by conveying, without charge, the lands and property to the municipality in which the lands and property are located. As nearly as is practicable, the disposition of lands and property under this subdivision shall be completed by December 31, 1984.

3. Prior to the disposition under subdivision 2 of lands and property, the governmental unit or units shall confer and consult with the municipality in which the lands and property are located and shall hold a public hearing in that municipality. The governmental unit or units shall mail a notice stating the time and place of the public hearing and a statement of the proposed disposition to the municipality at least 30 days before the hearing. The governmental unit or units shall also publish a copy of the notice, including a statement of the proposed disposition, as a class 2 notice under chapter 985 of the statutes within the municipality. The first publication shall be at least 30 days prior to the date of the hearing.

**Vetoed  
in Part**

~~4. The department of transportation may not demand reimbursement from any municipality of Milwaukee county for lands or property conveyed under subdivision 2.~~

**Vetoed  
in Part**

(8) INTERSTATE INTERCHANGE. From the appropriation under section 20.395 (3) (gq) of the statutes, the department of transportation shall expend not to exceed \$600,000 in the 1983-85 biennium to perform the preliminary engineering and design work associated with development of an interchange off of I 90 ~~adjacent to Avalon road south of~~ STH 11 in Rock county.

(9) STATE PATROL. Notwithstanding the treatment of section 110.07 (1) (a) (intro.) of the statutes by this act, the secretary of transportation may not employ more than 385 traffic officers prior to July 1, 1985.

(11) MAJOR HIGHWAY PROJECTS, TRANSPORTATION PROJECTS COMMISSION TO DEFINE. The transportation projects commission shall develop a definition of major highway projects to replace the definition under section 84.013 (1) (a) of the statutes, as created by this act. The definition developed under this subsection shall be included in the transportation projects commission report under section 13.489 of the statutes, as created by this act, for inclusion in the 1985-87 biennial budget.

(14) NOISE BARRIER PILOT PROGRAM. (a) In the 1983-85 biennium, the department of transportation shall expend \$1,800,000 of federal interstate rehabilitation funds from the appropriation under section 20.395 (3) (gx) of the statutes and \$200,000 of state matching funds from the appropriation under section 20.395 (3) (gq) of the statutes for a pilot program of installing noise barriers on the interstate highways of this state. The department shall give residential areas which are currently experiencing the most severe highway noise problems priority for noise barrier installation under the program.

(b) The department of transportation shall adopt by rule the criteria to be utilized in selecting the highway segments on which noise barriers will be installed and the methods to be used to assure local participation in the siting of noise barriers.

(c) The department of transportation shall submit a report to the joint committee on finance outlining the accomplishments of the noise barrier pilot program in the 1983-85 biennium and providing recommendations for the future scope of any statewide program for highway noise abatement. The report shall be submitted no later than January 1, 1985.

**SECTION 2053. Nonstatutory provisions; university of Wisconsin system.**

(1) **SPECIAL FACULTY PERFORMANCE ADJUSTMENTS.** Notwithstanding the employe compensation and benefit provisions adopted under section 230.12 (3) (e) of the statutes and the procedure prescribed in that paragraph for making changes in those provisions, the board of regents of the university of Wisconsin system, at any time during fiscal year 1983-84 only, may increase the base salaries of selected members of the faculty of the university of Wisconsin system, as defined in section 36.05 (8) of the statutes, in the total amounts of \$350,000 from the appropriation under section 20.285 (1) (a) of the statutes, as affected by this act, and \$150,000 from the appropriation under section 20.285 (1) (im) of the statutes, as affected by this act, in order to recognize special accomplishments, outstanding achievements, other meritorious performance, problems of retention and recruitment or promotions in rank. The board of regents shall adopt special guidelines to be used to determine which individuals receive special salary adjustments under this subsection. The board of regents shall submit a report to the governor and the joint committee on employment relations not later than 60 days after exercising the authority granted in this subsection concerning use of the moneys authorized to be distributed in this subsection.

(2) **CENTER SYSTEM CUSTODIAL POSITIONS.** (a) Subject to paragraph (b), the 26.4 county custodial positions at the university of Wisconsin system centers at Baraboo, Manitowoc, Sheboygan and Waukesha, funded on the effective date of this act on a contract basis with the university of Wisconsin system, may be transferred to the state classified service. The secretary of the department of employment relations and the administrator of the division of merit recruitment and selection in the department of employment relations shall, under section 230.15 (1) of the statutes, determine eligibility, pay, benefits and status for those employes who choose to transfer by considering their years of service under contract to the university of Wisconsin system as years of service in the state classified service, but no cash payments may be made by the state to or on behalf of the employes for accrued benefits under county employment.

(b) The authority to transfer to the state classified service under paragraph (a) extends only to existing positions in the state classified service which are vacant at the time of transfer and only until June 30, 1984.

(3) **ENROLLMENT FUNDING PROPOSAL.** The board of regents shall develop an enrollment funding proposal for use in adjusting the university of Wisconsin medical school budget and shall incorporate the proposal into its 1985-87 biennial budget request.

(4) **PREPAID PURCHASE OF UNIVERSITY OF WISCONSIN SYSTEM TUITION CREDITS.** The board of regents of the university of Wisconsin system shall conduct a study on the administrative and financial feasibility of a program for the prepaid purchase of university of Wisconsin system tuition credits. The board of regents shall report its findings and recommendations to the joint committee on finance by January 1, 1984.

(5) **SCHOOL OF VETERINARY MEDICINE.** The school of veterinary medicine at the university of Wisconsin-Madison shall not make any programmatic decisions or commitments during the 1983-84 or 1984-85 fiscal years, except decisions or commitments relating to the school's pay plan or utilities, that will result in costs that exceed the amounts appropriated to the board of regents of the university of Wisconsin system for the school of veterinary medicine under section 20.285 of the statutes for the 1983-84 and 1984-85 fiscal years.

Vetoed  
in Part

~~(C) INLAND LAKES GRANT PROGRAM. (a) Establishment. The university of Wisconsin-extension shall establish an inland lakes grant program for fiscal years 1983-84 through 1987-88.~~

~~(b) Formation grants. The university of Wisconsin-extension shall provide formation grants not to exceed \$2,500 for each eligible applicant to assist the applicant in the establishment of public inland lake protection and rehabilitation districts under chapter 39 of the statutes. In order to be eligible for a formation grant, an applicant is required to be a lake association or organization which has been in existence 2 years or more on the effective date of this paragraph, is required to file an application with the university of Wisconsin-extension on a form and containing information the university of Wisconsin-extension specifies on or before January 1, 1986, and is required to meet eligibility criteria established by the university of Wisconsin-extension. The university of Wisconsin-extension shall establish procedures, criteria and priorities for providing formation grants under the inland lakes grant program.~~

~~(c) Feasibility grants for newly formed districts. The university of Wisconsin-extension shall provide feasibility grants of up to 50% of the cost of conducting feasibility studies but not to exceed \$2,500 for each feasibility study in newly formed inland lake protection and rehabilitation districts. In order to be eligible for a feasibility grant under this program, an applicant is required to be a public inland lake protection and rehabilitation district which is established after the effective date of this paragraph, is required to file an application with the university of Wisconsin-extension on a form and containing information the university of Wisconsin-extension specifies on or before January 1, 1988, and is required to meet eligibility criteria established by the university of Wisconsin-extension. The university of Wisconsin-extension shall establish procedures, criteria and priorities for providing feasibility grants under the inland lakes grant program.~~

**SECTION 2055. Nonstatutory provisions; veterans affairs.**

(1) AGENT ORANGE STUDY. The department of veterans affairs shall facilitate a study of the effects of agent orange on Wisconsin Vietnam era veterans. The department of veterans affairs shall contract with the department of health and social services for the study under this subsection. The department of veterans affairs shall cooperate with and assist the department of health and social services in the study by providing the information requested by the department of health and social services. The study shall consist of a proportionate mortality study to determine incidence and cause of death of Wisconsin Vietnam era veterans and a cohort study which will compare a group of Wisconsin Vietnam era veterans who served in Vietnam with a group of Wisconsin Vietnam era veterans who did not serve in Vietnam. By December 1, 1984, the department of health and social services shall file a status report on the study with the department of veterans affairs, the joint committee on finance and the department of administration. By June 30, 1985, the department of health and social services shall submit the results of the study to the department of veterans affairs, the joint committee on finance and the department of administration.

**SECTION 2056. Nonstatutory provisions; vocational, technical and adult education.**

(1) INTERDISTRICT NONRESIDENT TUITION. The board of vocational, technical and adult education shall submit the rules required under section 38.04 (16) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes by November 30, 1983.

**SECTION 2057. Nonstatutory provisions; other.**

(1) INTEREST ON COURT-ORDERED SUPPORT PAYMENTS. The treatment of sections 767.25 (6) and 767.261 of the statutes by this act applies to any child or family support payment paid on or after the effective date of this act, regardless of the date of entry of the order for payment.

(3) COMPENSATION STUDY COMMITTEE. There is created a compensation study committee. The committee shall consist of one person designated by the governor, the chief justice of the supreme court, each cochairperson of the joint committee on employment relations, the majority leader of each house of the legislature and the minority leader of each house of the legislature. No member may be an elected state official. The committee shall examine the compensation of elected state officials and shall transmit its report and recommendations to the secretary of employment relations.

(4) ADJUSTMENTS OF PROGRAM REVENUE POSITIONS AND FUNDING LEVELS. No later than 30 days after the effective date of this act, the department of administration shall provide to the joint committee on finance a report indicating any initial modifications which are necessary to the appropriation levels established under this act for program revenue and program revenue-service appropriations as defined in section 20.001 (2) (b) and (c) of the statutes or to the number of full-time equivalent positions funded from program revenue and program revenue-service appropriations authorized by this act to reflect any additional funding or positions authorized under sections 16.505 (2) and 16.515 of the statutes in 1982-83 and not included in 1983-85 authorizations under this act but which should be included as continued budget authorizations in 1983-85. Such modifications shall be limited to appropriately reflecting the appropriation or position level changes necessary to account for higher base levels for the 1982-83 fiscal year due to appropriation or position increases authorized by the joint committee on finance under sections 16.505 (2) and 16.515 of the statutes subsequent to October 1, 1982, and prior to June 30, 1983. If the cochairpersons of the committee do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications within 14 working days after the date of the department's report, the modifications may be made. If, within 14 working days after the date of the department's report, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications, the department may not make the modifications until the committee approves the report.

(7) INITIAL REVENUE PROJECTION REPORTS. Each state agency that is required to make a report under section 16.513 (1) of the statutes, as created by this act, shall submit its initial report to the department of administration as required by that subsection within such period as the secretary of administration may require, but no later than the first day of the 4th month commencing after the effective date of this act.

~~(8) APPOINTMENT OF INITIAL MEMBERS OF THE CHILD ABUSE AND NEGLECT PREVENTION BOARD. The governor shall appoint 3 of the initial public members of the child abuse and neglect prevention board under section 15.105 (16) of the statutes, as created by this act, for terms to expire on May 1, 1984, 3 of the initial public members for terms to expire May 1, 1985, and 2 of the initial public members for terms to expire on May 1, 1986. Thereafter, the public members of the board shall be appointed as provided under section 15.105 (16) (g) of the statutes.~~

Vetoed  
in Part

(9) POSITION AUTHORIZATION; CHILD ABUSE AND NEGLECT PREVENTION BOARD. On the effective date of this act, there is authorized 1.0 PR executive director position in the classified service and 0.5 PR clerical position in the classified service for the child abuse and neglect prevention board, to be funded from the appropriation under section 20.433 (1) (g) of the statutes, as created by this act, for the purpose of performing the responsibilities under section 48.982 of the statutes, as created by this act.

Partial  
Veto  
Overruled

~~(10) PRIVATE INDUSTRY COUNCIL HEARINGS. Each private industry council shall hold at least one public hearing under section 14.281 of the statutes no later than August 15, 1983.~~

Vetoed  
in Part

~~(11) ROBERT L. BORUM CLAIM. There is authorized and directed to be expended from the appropriation under section 20.505 (4) (d) of the statutes, as amended by the acts of 1983, \$75,000 to Robert L. Borum, Milwaukee, Wisconsin, to compensate him for~~

Vetoed  
in Part

**Vetoed  
in Part**

~~permanent partial disability and years of suffering. His disability results from an industrial accident which occurred in Kenosha on March 31, 1955, and has not been recompensed due to the state industrial commission's November 30, 1955, denial of his claim of permanent injuries, and the operation of chapter 102 of the statutes which limits the claimant to a single cause of action even though there was insufficient knowledge of the extent of his injuries at the time of the original hearing. Acceptance of this payment operates as a full and complete release to the state of any further claim by Mr. Borum arising out of his injury and the consideration thereof by the industrial commission.~~

(12) **YOUTH INITIATIVE PROGRAM.** The governor's employment and training office shall provide \$500,000 from the appropriation under section 20.532 (1) (a) of the statutes, as affected by this act, to be used in the 1983-85 biennium for the support of programs developed by agencies previously funded through the youth initiative program in Milwaukee county. The funds expended under this subsection shall be coordinated with the expenditure of funds from the appropriation under section 20.532 (1) (mp) of the statutes to ensure continuity with current programs. In granting funds under this subsection, the governor's employment and training office shall give priority to programs which combine work experience with education.

**SECTION 2058. Nonstatutory provisions; land previously granted to the city of Kenosha; legislative findings and declarations.** (1) The legislature recognizes that public access to and public enjoyment of the navigable waters of this state are constitutionally protected rights.

(2) The legislature finds that:

(a) A portion of Lake Michigan and a portion of the shoreline of Lake Michigan are adjacent to the city of Kenosha and this lake and shoreline are valuable natural resources available to the people of the city of Kenosha and visitors to that city.

(b) The submerged lands granted to the city of Kenosha by chapter 230, laws of 1919, have been filled for over 50 years and are primarily open space.

(c) By reason of the location and character of the lands granted by chapter 230, laws of 1919, the area is well-suited for water-related improvements such as a public marina and promenade development.

(d) A public marina and promenade development and similar water-related improvements are likely to substantially increase the use of this area by members of the public interested in recreational boating and scenic beauty.

(e) A public marina and promenade development in this area would not materially impair public use of the area.

(f) The use of the waters of Lake Michigan near this area for navigation and commercial maritime activities is not significant.

(g) The portion of Lake Michigan near this area suitable for use as a public marina and promenade is insignificant in comparison to the remainder of Lake Michigan.

(h) The area is bounded on the south by Eichelman park with public swimming and beach facilities.

(i) The development and use of this area for public marina and promenade development and low- and medium-rise building development will enhance public use of Eichelman park.

(j) A public marina and promenade development in this area will enhance public access to and use of this area and promote tourism.

(3) The legislature recognizes and reaffirms the findings and declarations made under sections 66.43 (2), 66.431 (2) and 66.435 (2) of the statutes and further finds and declares that:

(a) The existence of substandard, deteriorated, slum and blighted conditions is a matter of statewide concern.

(b) It is the policy of this state to protect and promote the health, safety, morals and general welfare of the state in areas where these conditions exist by elimination and prevention of these conditions through the utilization of all means appropriate, including means such as promoting safe, sanitary and attractive housing, commercial development and office development, promoting or providing safe, healthful and aesthetically pleasing open spaces and recreational facilities and preserving and improving the employment opportunities, the tax base and investment incentives within these areas.

(c) The revitalization of the central business district of these areas is necessary to retain existing enterprises and attract new enterprises to these areas and to protect the health, safety and welfare of the residents of this state.

(d) The lands granted to the city of Kenosha under chapter 230, laws of 1919, could serve as a link between Lake Michigan and the central business district of the city of Kenosha, thus improving access to and use of both Lake Michigan and the central business district.

(e) The improvement of these lands is likely to improve the image and investment potential of the central business district of the city of Kenosha.

(4) The legislature further finds that:

(a) The submerged lake bed granted to the city of Kenosha under chapter 198, laws of 1959, is adjacent to the lands granted to that city under chapter 230, laws of 1919.

(b) That the submerged lake bed granted to the city of Kenosha under chapter 198, laws of 1959, is well-suited for water-related improvements such as a public marina and promenade development.

(c) That the use of this area for a public marina and promenade development is consistent with one of the original purposes for which the lake bed was granted and that the term "fisheries" is sufficiently broad and should be interpreted to include public use of the area for sport fishing and boating and similar purposes.

(d) A public marina and promenade development and similar water-related improvements are likely to substantially increase the use of this area by members of the public interested in sport fishing, recreational boating and scenic beauty.

(e) A public marina and promenade development in this area would not materially impair public use of this area.

(f) The use of the waters of Lake Michigan over and near this area for navigation and commercial maritime activities is not significant.

(g) The portion of Lake Michigan over this area which is suitable for use as a public marina and promenade is insignificant in comparison with the remainder of Lake Michigan.

(h) A public marina and promenade development in this area will enhance public access to and use of this area and would promote tourism.

(i) Continued reservation of this area for the exclusive purpose of promoting commercial navigation is no longer in the best interests of the city of Kenosha, this state or the residents of that city or this state.

**SECTION 2059. Nonstatutory provisions; land use authorizations for land previously granted to the city of Kenosha.** (1) **DEFINITION.** As used in this SECTION, "public marina and promenade development" includes, but is not limited to, improvements and activities related to the development, maintenance and operation of a public marina, promenade and related facilities, including but not limited to:

(a) Walkways, gardens, parking areas, roadways, open spaces, special event areas and festival areas; and

(b) Breakwaters, piers, bulkheads and uses of presently submerged areas which are not inconsistent with enhancement of sport fishing, recreational boating or other water-related uses of Lake Michigan.

(2) APPROVAL. As used in this SECTION:

(a) *Redevelopment areas.* With respect to lands which are blighted areas, within a redevelopment area or subject to a redevelopment plan under section 66.43, 66.431 or 66.4325 of the statutes, approval of the appropriate governing bodies consists of initial approval of the redevelopment authority of the city of Kenosha by a majority vote, followed by approval of the common council of the city of Kenosha by a majority vote and followed by approval of the mayor of the city of Kenosha.

(b) *Harbor areas.* With respect to lands which are within the harbor of the city of Kenosha, approval of the appropriate governing bodies consists of initial approval of the board of harbor commissioners of the city of Kenosha by a majority vote, followed by approval of the common council of the city of Kenosha by a majority vote and followed by approval of the mayor of the city of Kenosha.

(c) *Other areas.* With respect to lands not specified under paragraphs (a) and (b), approval of the appropriate governing bodies consists of approval of the common council of the city of Kenosha by a majority vote, followed by approval of the mayor of the city of Kenosha.

(3) SENIOR CITIZEN SUBSIDIZED RENTAL HOUSING PROJECT; PARKING AND OPEN SPACE.

(a) *Use authorization; certain lands granted by chapter 230, laws of 1919.* The lands described under paragraphs (b) and (c), being portions of the lands described under chapter 230, laws of 1919, section 1 (2) (b), as affected by this act, may be used for the purpose of providing senior citizen subsidized rental housing or for parking and open space associated with this housing.

(b) *Land description.* The lands which may be used for the purpose specified under paragraph (a) consist of:

That parcel of land described in document number 663066, volume 1066 of records, page 415, recorded at the register of deeds office, Kenosha County courthouse, Kenosha, Wisconsin, and which is part of the Southwest Quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Commencing at the southeast corner of lot numbered One (1) of Lake View Subdivision, a subdivision of part of Blocks 14 and 15 of the plat of Southport in the southwest fractional quarter of Section 32, Town 2 North and Range 23 East; thence north 5 degrees 10 minutes 30 seconds west along the west line of 3rd Avenue 462.88 feet to the point of beginning; thence north 82 degrees 24 minutes 30 seconds east 120.11 feet; thence north 5 degrees 10 minutes 30 seconds west parallel to and 120 feet east from (measured at a right angle) the west line of 3rd Avenue, 204.48 feet; thence north 1 degree 37 minutes 31 seconds east 274.40 feet to a point on the prolongation easterly of the south line of 58th Street; thence south 81 degrees 07 minutes 30 seconds West along said south line 109.11 feet to the west line of 3rd Avenue; thence south 4 degrees 03 minutes 30 seconds west along said west line 271.80 feet to an angle point; thence south 5 degrees 10 minutes 30 seconds east along the west line of 3rd Avenue 206.69 feet to the point of beginning.

(c) *Land description; additional land.* 1. The lands which may be used for the purpose specified under paragraph (a) also include the following lands if and so long as those lands are not used for the purpose specified under subsection (4) (a) or the purpose authorized under subsection (5) (a):

Part of the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Beginning at a point on the west line of 3rd Avenue, formerly called Durkee Avenue, which is 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence easterly 610.00 feet along a line which is parallel with and 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence northerly along a line which is perpendicular to the south line of said southwest quarter to a point which is 250.00 feet southerly (measured at a right angle) of the north line of 57th Street, formerly called Park Street, and its easterly extension; thence westerly along a line which is parallel with and 250.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension to the former breakwater built by the City of Kenosha in 1889 as shown on plat drawn by Hugh Southmayd, county surveyor, dated February 5, 1948; thence southerly along said breakwater to the south line of 58th Street, formerly called Wisconsin Street; thence westerly along the south line of said 58th Street to the west line of former 3rd Avenue (now vacated) also formerly called Durkee Avenue; thence southerly along the west line of said former 3rd Avenue (now vacated) and along the west line of said 3rd Avenue to the point of beginning, except for parcel A described under subdivision 2.

2. Parcel A consists of that parcel of land described in document number 663066, volume 1066 of records, page 415, recorded at the register of deeds office, Kenosha County courthouse, Kenosha, Wisconsin.

(4) PUBLIC MARINA AND PROMENADE DEVELOPMENT. (a) *Use authorization; certain land granted by chapter 230, laws of 1919.* The lands described under paragraphs (b) and (c), being portions of the lands described under chapter 230, laws of 1919, SECTION 1 (2) (b), as affected by this act, may be used for the purpose of a public marina and promenade development subject to approval of the appropriate governing bodies specified under subsection (2).

(b) *Land description.* 1. The lands which may be used for the purpose specified under paragraph (a) consist of:

That parcel of land described in document number 147289, volume 109 of deeds, page 227, recorded at the register of deeds office, Kenosha County courthouse, Kenosha, Wisconsin, except for parcel A and parcel B described under subdivisions 2 and 3.

2. Parcel A consists of all lands described in the document specified under subdivision 1 which are located within the northwest quarter of Section 5, Town 1 North, Range 23 East.

3. Parcel B consists of part of the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Beginning at a point on the west line of 3rd Avenue, formerly called Durkee Avenue, which is 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence easterly 610.00 feet along a line which is parallel with and 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence northerly along a line which is perpendicular to the south line of said southwest quarter to a point which is 250.00 feet southerly (measured at a right angle) of the north line of 57th Street, formerly called Park Street, and its easterly extension; thence westerly along a line which is parallel with and 250.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension to the former breakwater built by the City of Kenosha in 1889 as shown on plat drawn by Hugh Southmayd, county surveyor, dated February 5, 1948; thence southerly along said breakwater to the south line of 58th Street, formerly called Wisconsin Street; thence westerly along the south line of said 58th Street to the west line of former 3rd Avenue

(now vacated) also formerly called Durkee Avenue; thence southerly along the west line of former 3rd Avenue (now vacated) and along the west line of 3rd Avenue to the point of beginning.

(c) *Land description; additional land.* The lands which may be used for the purpose specified under paragraph (a) also include the following lands if and so long as those lands are not used for the purpose specified under subsection (3) (a) or the purpose specified under subsection (5) (a):

Part of the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Beginning at a point on the west line of 3rd Avenue, formerly called Durkee Avenue, which is 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence easterly 610.00 feet along a line which is parallel with and 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence northerly along a line which is perpendicular to the south line of said southwest quarter to a point which is 250.00 feet southerly (measured at a right angle) of the north line of 57th Street, formerly called Park Street, and its easterly extension; thence westerly along a line which is parallel with and 250.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension to the former breakwater built by the City of Kenosha in 1889 as shown on plat drawn by Hugh Southmayd, county surveyor, dated February 5, 1948; thence southerly along said breakwater to the south line of 58th Street, formerly called Wisconsin Street; thence easterly 370.00 feet along the south line of said 58th Street extended; thence southerly along a line perpendicular to the south line of said southwest quarter to a point which is 300.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence westerly along a line parallel with and 300.00 feet (measured at a right angle) from the south line of said southwest quarter to the west line of said 3rd Avenue; thence southerly along the west line of said 3rd Avenue to the point of beginning.

(d) *Use authorization; certain lands granted by chapter 198, laws of 1959.* The lands described under paragraphs (e) and (f), being portions of the lands described under chapter 198, laws of 1959, section 1 (2), as affected by this act, may be used for the purpose of a public marina and promenade development subject to the approval of the appropriate governing bodies specified under subsection (2).

(e) *Land description.* The lands which may be used for the purpose specified under paragraph (d) consist of:

All those submerged lands in Lake Michigan along and adjacent to the easterly corporate limits of the City of Kenosha between 61st Street extended and the straight line of 45th Street extended into Lake Michigan a distance of 1,300 feet, except those submerged lands located north of the south bulkhead line of the United States Army Corps of Engineers confined dredge disposal area, (said bulkhead is located approximately at the intersection of the north line of 57th Street extended easterly and the shore of Lake Michigan).

(f) *Land description; additional land.* The lands which may be used for the purpose specified under paragraph (d) also include any of the following lands if and so long as those lands are no longer used as a confined disposal area or if the use of a part of those lands for the purpose specified under paragraph (d) is not inconsistent with the use of other portions of those lands as a confined disposal area:

A parcel of land located in the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Wisconsin, and more particularly described as follows:

Those lands currently being used by the U.S. Army Corps of Engineers as a confined dredge disposal area. Said lands extending 1,150 feet, more or less, easterly from the existing shoreline and extending 1,260 feet, more or less, southerly from the existing south pier of the Kenosha harbor.

(5) **LOW- AND MEDIUM-RISE BUILDING DEVELOPMENT.** (a) *Use authorization; certain lands granted by chapter 230, laws of 1919.* The lands described under paragraphs (b) and (c), being portions of the lands described under chapter 230, laws of 1919, section 1 (2) (b), as affected by this act, may be used for the purpose of housing, commercial or office development including, without limitation, hotels, convention centers and related facilities subject to the approval of the appropriate governing bodies as specified under subsection (2) and the conditions specified under paragraph (d).

(b) *Land description.* The lands which may be used for the purpose specified under paragraph (a) consist of:

Part of the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Beginning at a point on the west line of 3rd Avenue, formerly called Durkee Avenue, which is 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence easterly 610.00 feet along a line which is parallel with and 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence northerly along a line which is perpendicular to the south line of said southwest quarter to a point which is 250.00 feet southerly (measured at a right angle) of the north line of 57th Street, formerly called Park Street, and its easterly extension; thence westerly along a line which is parallel with and 250.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension to the former breakwater built by the City of Kenosha in 1889 as shown on plat drawn by Hugh Southmayd, county surveyor, dated February 5, 1948; thence southerly along said breakwater to the south line of 58th Street, formerly called Wisconsin Street; thence westerly along the south line of said 58th Street to the west line of former 3rd Avenue (now vacated) also formerly called Durkee Avenue. Thence southerly along the west line of said former 3rd Avenue (now vacated), and along the west line of said 3rd Avenue to the point of beginning except for that parcel of land described in document number 663066, volume 1066 of records, page 415, recorded at the register of deeds office, Kenosha County courthouse, Kenosha, Wisconsin.

(c) *Land description; additional land.* The lands which may be used for the purpose specified under paragraph (a) also include the following lands if and so long as those lands are not used for the purpose specified under subsection (4) (a):

Part of the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Beginning at a point on the west line of 3rd Avenue, formerly called Durkee Avenue, which is 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence easterly 610.00 feet along a line which is parallel with and 150.00 feet northerly (measured at a right angle) from the south line of said southwest quarter; thence northerly along a line which is perpendicular to the south line of said southwest quarter to a point which is 250.00 feet southerly (measured at a right angle) from the north line of 57th Street, formerly called Park Street, and its easterly extension; thence westerly along a line which is parallel with and 250.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension to the former breakwater built by the City of Kenosha in 1889 as shown on plat drawn by Hugh Southmayd, county surveyor, dated February 5, 1948; thence northerly along said breakwater to a point which is 100.00 feet southerly (measured at a right angle) from the

North line of said 57th Street and its easterly extension; thence easterly 800.00 feet along a line parallel with and 100.00 feet southerly (measured at a right angle) from the north line of said 57th Street and its easterly extension; thence southerly along a line which is perpendicular to the south line of said southwest quarter to a point which is on the south line of said southwest quarter; thence westerly along the south line of said southwest quarter to the southerly extension of the west line of said 3rd Avenue; thence northerly along said southerly extension and the west line of said 3rd Avenue to the point of beginning.

(d) *Conditions of approval.* An appropriate governing body may grant approval for a project under paragraph (a) only if the governing body determines that:

1. The project is necessary in order to finance, by means of tax incremental financing or other means, the creation or continuation of a public marina and promenade development as authorized under subsection (4) or public improvements required for such a development;
2. The project is to be undertaken at the same time or after the creation of a public marina and promenade development as authorized under subsection (4), in the lands described under that subsection;
3. The project is to be located on lands in or adjacent to a blighted area as defined under section 66.43 (3) (j), 66.431 (4) (e) or 66.46 (2) (a) of the statutes;
4. No building in the project is to be higher than 10 stories, exclusive of any elevator or mechanical penthouse;
5. The project is to allow adequate public access to Lake Michigan and its shoreline;
6. The project is to allow public control over the majority of lands described under chapter 230, laws of 1919, section 1 (2) (b), as affected by this act;
7. The project is to be aesthetically pleasing and enhance the public enjoyment of the scenic beauty of Lake Michigan and its shoreline;
8. The project, taken together with all other approved projects under this subsection, permits at least 50% of the lands described under paragraph (b) which are available for these projects to be used as open spaces and the project is designed to develop, maintain and operate these open spaces in a manner which enhances public access to Lake Michigan and its shoreline and public enjoyment of the scenic beauty of the area; and
9. The project contains no provision or specification which would materially impair public use of Lake Michigan or its shoreline.

(6) **RECREATIONAL AND OTHER USES.** (a) *Use authorization; certain land granted by chapter 198, laws of 1959, currently used as a confined dredge disposal area.* Any of the lands described under paragraph (b), being a portion of the lands described under chapter 198, laws of 1959, section 1 (2), as affected by this act, may be used for recreational purposes, for the purpose specified under subsection (4) (d) or for commercial harbor purposes if and so long as those lands are no longer used as a confined dredge disposal area or if the use of a part of those lands for these purposes is not inconsistent with the use of other portions of those lands as a confined dredge disposal area.

(b) *Land description.* The lands which may be used for the purposes and subject to the conditions specified under paragraph (a) consist of:

A parcel of land located in the southwest quarter of Section 32, Town 2 North, Range 23 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Wisconsin, and more particularly described as follows:

Those lands currently being used by the U.S. Army Corps of Engineers as a confined dredge disposal area. Said lands extending 1,150 feet, more or less, easterly from the existing shoreline and extending 1,260 feet, more or less, southerly from the existing south pier of the Kenosha harbor.

(7) EICHELMAN PARK. Notwithstanding subsection (3) (a), (4) (a) or (5) (a), no part of the park known as Eichelman park may be used for any purpose except that of a public park. Eichelman park is located in the northwest quarter of Section 5, Town 1 North, Range 23 East in the county of Kenosha.

(8) REVERSION. (a) *Land grant of 1919*. If any of the lands described under chapter 230, laws of 1919, section 1 (2) (b), as affected by this act, are not used for a purpose which is authorized under subsection (3) (a), (4) (a) or (5) (a) or cease being used for any authorized purpose and if the unauthorized use is permanently inconsistent with all authorized purposes, that part of these lands which is being used improperly and inconsistently shall revert to the city of Kenosha and may be used only for public park purposes until such time as use for a purpose authorized under subsection (3) (a), (4) (a) or (5) (a) receives the approval of the appropriate governing bodies of the city of Kenosha.

(b) *Land grant of 1959*. If any of the lands described under chapter 198, laws of 1959, section 1 (2), as affected by this act, are not used for a purpose which is authorized under subsection (4) (d) or (6) (a) or under chapter 198, laws of 1959, section 1 (3), as affected by this act, or cease being used for any authorized purpose and if the unauthorized use is permanently inconsistent with all authorized purposes, that part of these lands which is being used improperly and inconsistently shall revert to the state of Wisconsin.

(c) *Conditions; procedures*. Notwithstanding paragraph (b), no reversion may occur unless the city of Kenosha receives a written notice specifying in detail why the reversion should occur and the city of Kenosha fails to act to avoid that reversion within one year after the notice is provided. If a reversion is contested by the city of Kenosha, the court shall postpone the effective date of any reversion until the final judicial decision on the matter occurs. Final judicial resolution of a matter occurs when a final judgment is entered by a trial court and either the time limitations for all rights to appeal that judgment have expired without exercise of those rights or all appeals from that judgment are finally terminated.

**SECTION 2101. Appropriation changes; administration.**

(1) DATA PROCESSING SERVICES. In addition to the amounts in the schedule, the appropriation to the department of administration under section 20.505 (1) (ka) of the statutes, as affected by the acts of 1983, is increased for fiscal year 1983-84 by an amount equal to the unencumbered balance in the appropriation under section 20.505 (1) (kc), 1981 stats., on the day prior to the effective date of this act, immediately prior to any reversion to the general fund.

**SECTION 2114. Appropriation changes; employment relations commission.**

(1) PROGRAM REVENUE LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, there is lapsed \$22,600 from the appropriation under section 20.425 (1) (g) of the statutes to the general fund on the effective date of this act.

**SECTION 2118. Appropriation changes; governor.**

(1) ADVOCACY ACTIVITIES. In addition to any other moneys received, the appropriation to the office of the governor under section 20.525 (1) (m) of the statutes, as affected by the acts of 1983, is increased for fiscal year 1983-84 by an amount equal to the unencumbered balance in the appropriation under section 20.525 (4) (m), 1981 stats., on the day prior to effective date of this act, immediately prior to any reversion to the general fund.

**SECTION 2120. Appropriation changes; health and social services.**

(1) COMMUNITY AIDS. The department of health and social services may, during the 1983-85 biennium, transfer up to \$339,700 from the appropriation under section 20.435 (1) (b) of the statutes to the appropriation under section 20.435 (4) (b) of the statutes. The department shall allocate these funds, plus \$62,200 in fiscal year 1983-84 and \$387,800 in fiscal year 1984-85 from the appropriation under section 20.435 (4) (b) of the statutes to counties based on projected admissions after January 1, 1984, to community-

based residential facilities of persons eligible for medical assistance under section 49.46 or 49.47 of the statutes but who are ineligible for personal or residential care under section 49.45 (6m) (i) 2 of the statutes. The department shall consider projected admissions only to community-based residential facilities certified as medical assistance providers before January 1, 1983. Counties may use funds allocated under this section to place these persons in community-based settings except nursing homes.

(2) **PRISON INDUSTRIES.** Within 3 months after the effective date of this subsection, the department of health and social services shall transfer to section 20.435 (3) (km) of the statutes the appropriation balance under section 20.435 (3) (kk) of the statutes immediately prior to the effective date of this subsection which is attributable to the establishment and operation of prison industries.

**SECTION 2125. Appropriation changes; industry, labor and human relations.**

(1) **INSPECTION AND CERTIFICATION FEES.** In addition to the amounts in the schedule, the appropriation to the department of industry, labor and human relations under section 20.445 (1) (j) of the statutes, as affected by the acts of 1983, is increased for fiscal year 1983-84 by an amount equal to the unencumbered balance in the appropriation under section 20.445 (1) (ia), 1981 stats., on June 30, 1983, immediately prior to any reversion under section 20.001 (3) (a) of the statutes.

(2) **WORK INCENTIVE PROGRAM.** (a) Of the total funding under section 20.445 (1) (a) of the statutes, as affected by the acts of 1983, \$224,700 for fiscal year 1983-84 is for the work incentive program under section 49.50 (7) of the statutes during the months of July, August and September of 1983. On September 30, 1983, the unencumbered portion of the \$224,700 is transferred to the department of health and social services under section 20.435 (4) (bm) of the statutes.

(b) On September 30, 1983, the unencumbered balance of the appropriation to the department of industry, labor and human relations under section 20.445 (1) (y) of the statutes, as affected by the acts of 1983, is transferred to the department of health and social services under section 20.435 (4) (ps).

(c) On September 30, 1983, the unencumbered balance of the appropriation to the department of industry, labor and human relations under section 20.445 (1) (ya) of the statutes, as affected by the acts of 1983, is transferred to the department of health and social services under section 20.435 (4) (pm).

**SECTION 2138. Appropriation changes; natural resources.**

(1) **NONPOINT SOURCE APPROPRIATIONS.** In addition to the amounts in the schedule, the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes, as affected by the acts of 1983, is increased for fiscal year 1983-84 by an amount equal to the unencumbered balance in the appropriation under section 20.370 (4) (ca), 1981 stats., on June 30, 1983, immediately prior to any reversion under section 20.001 (3) (a) of the statutes.

(2) **POINT SOURCE APPROPRIATION.** The unencumbered balance in the appropriation to the department of natural resources under section 20.370 (4) (kc) of the statutes, as renumbered by this act and as affected by the acts of 1983, is decreased by \$750,000 on July 1, 1983, or the day following publication of this act, whichever is later, in order to reduce funding for grants for facility planning costs and other eligible costs under section 144.24 of the statutes which cannot be funded from bond revenues.

**SECTION 2157. Appropriation changes; other.**

(1) **STATE COMPENSATION AND FRINGE BENEFIT RESERVES.** Notwithstanding sections 20.001 (3) (d), 20.865 (intro.) and (1) and 20.928 of the statutes, supplements to state agency appropriations by the secretary of administration are limited as follows:

(a) Supplements provided from the appropriations under section 20.865 (1) (c), (ci), (cm), (d) and (di) of the statutes may not exceed in total the amount of \$21,630,600 in 1983-84 and the amount of \$49,562,200 in 1984-85.

(b) Supplements provided from the appropriations under section 20.865 (1) (i), (ic), (im), (j) and (ji) of the statutes may not exceed in total the amount of \$18,487,500 in 1983-84 and the amount of \$42,387,100 in 1984-85.

(c) Supplements provided from the appropriations under section 20.865 (1) (s), (si), (sm), (t) and (ti) of the statutes may not exceed in total the amount of \$6,012,100 in 1983-84 and the amount of \$13,110,800 in 1984-85.

(2) STATE AGENCY INFLATION AMOUNTS REDUCED. The appropriations specified below are decreased in the fiscal year specified by the amounts shown below for the purpose of reducing to 3% annually the amounts provided to offset inflation in the appropriations specified below and the legislative reference bureau in enrolling this bill shall so decrease the appropriation schedule under section under 20.005 (3) of the statutes.

		<u>Appropriation</u>	<u>1983-84</u>	<u>1984-85</u>
(a)	1.	20.143 (1) (a)	3,500	2,800
	2.	20.143 (1) (b)	300	200
	3.	20.143 (2) (a)	8,600	3,700
	4.	20.143 (3) (a)	1,800	1,400
	5.	20.143 (4) (a)	3,200	2,600
(b)	1.	20.225 (1) (a)	67,700	102,400
	2.	20.225 (1) (f)	69,600	96,500
(c)	1.	20.255 (1) (a)	82,300	84,800
(d)	1.	20.285 (1) (a)	325,200	707,200
(e)	1.	20.315 (1) (a)	100	0
(f)	1.	20.370 (1) (ma)	100	200
	2.	20.370 (1) (mu) for forestry	54,600	119,100
	3.	20.370 (1) (mu) for southern forests	8,800	19,100
	4.	20.370 (1) (mu) for engineering	100	100
	5.	20.370 (1) (mu) for research	1,400	3,200
	6.	20.370 (1) (mu) for real estate	200	600
	7.	20.370 (2) (ma) for water resources management	900	2,000
	8.	20.370 (2) (ma) for wastewater management	2,000	4,300
	9.	20.370 (2) (ma) for air management	600	1,200
	10.	20.370 (2) (ma) for solid waste management	1,200	2,600
	11.	20.370 (2) (ma) for water supply management	300	600
	12.	20.370 (2) (ma) for technical services	400	800
	13.	20.370 (3) (ma)	1,200	2,700
	14.	20.370 (4) (hb)	400	800
	15.	20.370 (4) (hq)	600	1,300
	16.	20.370 (4) (ia)	200	500
	17.	20.370 (4) (ir)	100	300
	18.	20.370 (4) (iu)	300	700
	19.	20.370 (8) (ma)	5,000	11,200
	20.	20.370 (8) (mu)	13,600	30,600
(g)	1.	20.485 (2) (u)	0	8,300
	2.	20.485 (3) (s)	0	7,400
(h)	1.	20.585 (1) (a)	1,100	400
(i)	1.	20.680 (2) (a)	24,700	33,100

**SECTION 2200. Terminology changes.**

**(1) ADMINISTRATION.**

**(a) Division of hearings and appeals.**

1. Wherever the term "natural resources hearings" or "natural resources hearing" appears in the following sections of the statutes, the term "hearings and appeals" is substituted: 144.44 (2r) (d) 1, 227.065 and 227.066.

2. Wherever the term "nursing home appeals" appears in the following section of the statutes, the term "hearings and appeals" is substituted: 50.04 (4) (e) 1 and (5) (e).

(15) EMPLOYMENT RELATIONS DEPARTMENT.

(a) *Department reorganization.*

1. Wherever the term "administrator" appears in the following sections of the statutes, the term "secretary" is substituted: 230.06 (1) (c) and (f), 230.08 (8), 230.09 (2) (a), (c) and (d) and (3), 230.12 (4) (a), 230.22 (1), 230.32 (3), 230.33 (2), 230.34 (1) (c) and (4), 230.35 (1) (a) 4 and (d), (2) and (3) (d) and 230.43 (5).

2. Wherever the term "administrator of the division of personnel in" appears in the following section of the statutes, the term "secretary of" is substituted: 20.917 (1) (c), (3) (a) 2 and (5) (b).

3. Wherever the term "division of personnel" appears in the following sections of the statutes, the term "division of merit recruitment and selection" is substituted: 15.173 (1) (a) to (c), 19.45 (11) (a), 36.09 (1) (i), 45.43 (7), 46.05 (1n), as affected by 1983 Wis. Act 16, 70.99 (12), 73.09 (5), 111.815 (2) and 230.03 (10).

4. Wherever the term "division of personnel in the department of employment relations" appears in the following section of the statutes, the term "department of employment relations" is substituted: 73.09 (2).

(20) HEALTH AND SOCIAL SERVICES.

(a) *Federal community services block grant funds.*

1. Wherever the term "designated by the U.S. community services administration pursuant to the community service act of 1974" appears in the following section of the statutes, the term "under s. 46.30" is substituted: 59.07 (99).

2. Wherever the term "designated by the U.S. community services administration pursuant to the community services act of 1974" appears in the following sections of the statutes, the term "under s. 46.30" is substituted: 66.434 and 118.28.

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Manufactured homes.*

1. Wherever the term "mobile home" appears in the following section of the statutes, the term "manufactured home" is substituted: 101.925 (4).

2. Wherever the term "mobile home" appears in the following sections of the statutes, the term "manufactured home or mobile home" is substituted: 100.21 (1) (a) and 101.94 (3), (4) (a) and (b) (intro.), 2 and 3, (5) and (8) (a).

3. Wherever the term "mobile homes" appears in the following sections of the statutes, the term "manufactured homes and mobile homes" is substituted: 101.90, 101.92 (1), (4) and (5), 101.93 and 101.94 (4) (intro.).

4. Wherever the term "mobile homes" appears in the following sections of the statutes, the term "manufactured homes or mobile homes" is substituted: 101.92 (2), 101.94 (4) (b) 1 and 101.95.

(42) PUBLIC INSTRUCTION.

(b) *Elimination of subchapter II of chapter 116.* Wherever the term "subchapter" appears in the following sections of the statutes, the term "chapter" is substituted: 116.015 and 116.03 (10) and (14), as renumbered.

(c) *Division for handicapped children and pupil services.* Wherever the term "division for handicapped children" appears in the following sections of the statutes, the term "division for handicapped children and pupil services" is substituted: 15.371 (2), 15.373 (1), 20.255 (1) (ms), as renumbered, 49.45 (2) (a) 5, 69.32 (3), 115.76 (1) and (4), 115.77 (title), 119.28 (5) and 142.01 (2).

(45) REVENUE.

(a) *Cigarette licenses.*

1. Wherever the term “salesmen” appears in the following section of the statutes, the term “salespersons” is substituted: 139.37 (title).

2. Wherever the term “salesman’s” appears in the following section of the statutes, the term “salesperson’s” is substituted: 139.37 (1) (a).

3. Wherever the term “salesman” appears in the following section of the statutes, the term “salesperson” is substituted: 139.37 (1) (a).

**SECTION 2201. Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) **ADMINISTRATION.**

(a) *Refunds of real estate transfer fees.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	77.26 (5)

(b) *Defaulted student loans.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	39.32 (11)

(c) *Mileage reduction.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	20.915 (3)	none

(d) *Natural resources contingent fund.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	20.370 (9)(ms)

(e) *Public patient program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	142.08	none

(f) *Plans for aid to housing programs.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	560.11 (3)	none

(g) *Shared revenue distribution schedule.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	79.02 (2)(am)	79.02 (1)

~~(h) *Home rehabilitation credit.*~~

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	71.09 (12)(e)

**Vetoed  
in Part**

(j) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	101.57 (3), (5)(intro.) and (9)	none

(2) **AGRICULTURE, TRADE AND CONSUMER PROTECTION.**

(a) *Animal waste water pollution grant program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.341 (intro.)	none	92.15 (4)

(13) EMPLOYE TRUST FUNDS.

(a) *State employe health care coverage; group insurance board.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.161 (2)	none	40.51 (6)

(15) EMPLOYMENT RELATIONS DEPARTMENT.

(a) *State employe moving expenses.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	none	20.917

(b) *Deputy sheriff civil service examinations.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (1)	none	59.21 (8)(a)

(c) *Classified service payrolls.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (intro.) and (1)	none	16.415 (3)

(d) *Legislative insurance benefits.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	none	13.121 (4)

(e) *Department reorganization.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	19.45 (11)(a) and 20.916 (8)(a)	20.901 (1)(b), 20.916, 20.923 (4) and 73.09 (2)

(18) GOVERNOR.

(a) *State purchasing; remedial changes.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	16.705 (4)	none

**Vetoed in Part**

A	B	C
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	16.513 (3)

(c) *Federal-state relations office.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	16.548 (1)

(20) HEALTH AND SOCIAL SERVICES.

(a) *Public patient program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	142.05 (4)	none

(b) *School taxes on publicly owned property.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	70.117	none

(c) *Tuition payments for children at camp Flambeau.*

A	B	C
Statute Sections	References Deleted	References inserted
15.191 (intro.)	121.79 (1) (c)	none

(d) *Community housing alternatives program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	231.03 (6m)	234.70 (1)

(e) *Crime victim and witness assistance surcharge.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	none	973.045 (4)

(f) *Health care coverage payments.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	none	40.51 (6), 71.01 (3)(a) 3 and (c) 3, 71.04 (2)(b) 7 and 71.05 (1)(a) 21

(g) *Industrial development revenue bonding for health facilities.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	none	66.521 (2)(b) 7. a

(h) *Medical education loan repayment grants.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	39.377 (3)	none

(i) *Health insurance for public employes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	none	895.60

(j) *Child abuse and neglect prevention board.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	none	15.105(15)

**Vetoed  
in Part**

(25) **INDUSTRY, LABOR AND HUMAN RELATIONS.**

(a) *Mattress and upholstery approval.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	146.04	none

(b) *Labor training program approval.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	none	560.095 (3)(c)

(26) **INSURANCE.**

(b) *Health care coverage payments.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.731	none	71.01 (3)(a) 3 and (c) 3, 71.04 (2)(b) 7 and 71.05 (1)(a) 21

(c) *Health insurance for public employes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.731	none	895.60

(28) **INVESTMENT BOARD.**

(a) *Health insurance risk sharing plan fund.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.761	619.125 (3)(d)	none

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(32) JUSTICE.

(a) *Law enforcement standards board.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (3)	20.455 (2)(i)	none

(b) *Mattress and upholstery approval.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	146.04	none

(c) *State park and camping fees.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	27.01 (3)	27.01 (12)

(e) *Waste management enforcement activities.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	144.441 (6)(g)	144.441 (6)(f), 144.443 (11)(a) 4

(f) *Certificate of need.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	150.004	150.05

(g) *Hospital rate setting.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	none	54.25

**Vetoed  
in Part**

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	none	15.105 (16)

(33) LEGISLATURE.

(a) *State employe moving expenses.*

A	B	C
Statute Sections	References Deleted	References Inserted
13.111 (2)	none	20.917

(39) PERSONNEL BOARD.

(a) *Classified service payrolls.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.771	none	16.415 (3)

(b) *Evaluation of administrator.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.771	none	15.173 (1)(c)

(42) PUBLIC INSTRUCTION.

(a) *Cystic fibrosis.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (2)	ss. 119.28 and 146.36	s. 119.28

(b) *Public patient program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (2)	ch. 142	none

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(d) *Youth initiatives program grant review.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	101.227 (2)	none

(e) *Health insurance for public employes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	none	895.60

~~(f) *Child abuse and neglect prevention board.*~~

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	none	15.106 (16) 46.982 (2)(g)

**Vetoed  
in Part**

(43) PUBLIC SERVICE COMMISSION.

(am) *Abolishing the solid waste recycling authority.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.791	232.11	none

(bn) *Municipal waste flow control.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.791	none	144.794 <del>(9)(b)</del> (14) (e) and (15)

**Partial  
Veto  
Overruled**

(45) REVENUE.

(a) *Boat fees.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.431 (intro.)	30.52 (8)	30.52 (4)

(b) *Health insurance for public employes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.431 (intro.)	none	895.60

(51) TRANSPORTATION.

(a) *State employe moving expenses.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (1)	none	20.917

(b) *Transportation projects commission.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (intro.)	none	13.489

(52) TREASURER.

(b) *Crime victim and witness assistance surcharge.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.561	none	973.045 (3) and (4)

(55) VETERANS AFFAIRS.

(a) *Mental health commitments.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.491	51.35 (6)	none

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Labor training program development and approval.*

A	B	C
Statute Sections 15.941 (intro.)	References Deleted none	References Inserted 560.095

(b) *Youth initiatives program grant review.*

A	B	C
Statute Sections 15.941 (intro.)	References Deleted 101.227 (2)	References Inserted none

(c) *Health insurance for public employes.*

A	B	C
Statute Sections 15.941 (intro.)	References Deleted none	References Inserted 895.60

SECTION 2202. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

(1) ADMINISTRATION.

(a) *Division of hearings and appeals.*

A	B	C
Statute Sections 227.066	Old Cross-References 227.012 (5)	New Cross-References 227.012 (2)

(b) *Purchasing.*

A	B	C
Statute Sections 16.754 (2)	Old Cross-References 16.75 (1), (2) and (6)	New Cross-References 16.75 (1), (2), (2m) and (6)

(c) *Construction contracts.*

A	B	C
Statute Sections 16.855 (1)	Old Cross-References s. 13.48 (19)	New Cross-References sub. (10m) or s. 13.48 (19)

(d) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections 16.959 (1)(a) 20.505 (1)(e), as renumbered	Old Cross-References 101.57 (8)(d) 101.57	New Cross-References 16.957 (8)(d) 16.957

(5) BUILDING COMMISSION.

(a) *Capital improvement fund interest earnings.*

A	B	C
Statute Sections 18.08 (2)  18.09 (4)	Old Cross-References 20.867 (2)(v)  18.08 (3)	New Cross-References 20.867 (2)(v) and (4)(q) 18.08 (3), (5) or (6)

(b) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections 13.48 (2)(h) 1. e 13.48 (2)(h) 1. g	Old Cross-References 101.57 (8)(a) 101.57 (8)(b)	New Cross-References 16.957 (8)(a) 16.957 (8)(b)

(15) EMPLOYMENT RELATIONS DEPARTMENT.

(a) *Duties of administrator.*

A	B	C
Statute Sections 230.26 (5)	Old Cross-References subs. (1) to (4)	New Cross-References sub. (1), (1m) or (2)

(20) HEALTH AND SOCIAL SERVICES.

(a) *Commitment periods for alcohol abusers.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
51.45 (13) (j)	par. (h) or (i)	par. (h)

(b) *Appropriation changes; reorganization.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
13.101 (6)(a)	20.435 (2)(d) and (4) (a), (d) and (e)	20.435 (4)(a), (d), (da) and (e)
20.285 (1)(ia)	20.435 (2)(hx)	20.435 (4)(hx)
20.395 (5)(ch)	20.435 (2)(hx)	20.435 (4)(hx)
20.435 (4)(dm), as renumbered	par. (g)	par. (ga)
46.033 (3)	20.435 (2)(b) and (o)	20.435 (4)(b) and (o)
46.034 (4)	20.435 (2)(b)	20.435 (4)(b)
46.10 (8)(i)	20.435 (2)(gg) and (kk)	20.435 (2)(gk) and (4)(gg)
46.22 (5m)(c)	20.435 (2)(b)	20.435 (4)(b)
46.22 (5m)(c)	20.435 (2)(o)	20.435 (4)(o)
46.26 (4)(a)	20.435 (2)(b) or (cd)	20.435 (2)(cd) or (4)(b)
46.80 (5)(a) and (b)	20.435 (2)(df)	20.435 (4)(dh)
46.85 (3) and (3m)	20.435 (2)(df)	20.435 (4)(dh)
46.95 (2)(a)	20.435 (2)(cb) and (hh)	20.435 (4)(cb) and (hh)
48.07 (1)	20.435 (2)(km)	20.435 (4)(km)
48.48 (12)(a)	20.435 (2)(dd)	20.435 (4)(dd)
48.48 (14)	20.435 (2)(dd) and (3)(b)	20.435 (3)(ho) and (4)(dd)
48.675 (3)(intro.)	20.435 (2)(dd) and (3)(b)	20.435 (3)(ho) and (4)(dd)
49.51 (3)(c)	20.435 (2)(b) and (o)	20.435 (4)(b) and (o)
49.52 (1)(dm) 2 and (h)	20.435 (2)(b)	20.435 (4)(b)
50.05 (10)	20.435 (1)(dm) and (2)(dm)	20.435 (1)(dm) and (4)(dm)
51.22 (3)	20.435 (2)(d)	20.435 (4)(da)
51.42 (1)(b)	20.435 (2)(d)	20.435 (4)(da)
51.42 (8)(a)	20.435 (2)(b) and (o)	20.435 (4)(b) and (o)
51.42 (8)(a)	20.435 (2)(b)	20.435 (4)(b)
51.42 (8)(a)	20.435 (2)(o)	20.435 (4)(o)
51.42 (8)(e) and (f)	20.435 (2)(b)	20.435 (4)(b)
51.42 (8)(h)	20.435 (2)(gg)	20.435 (4)(gg)
346.655 (3)	20.435 (2)(hx)	20.435 (4)(hx)
973.055 (3)	20.435 (2)(hh)	20.435 (4)(hh)

(c) *Community aids funding; regional centers.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.23 (5)(e)	49.52 (1)(d) or 51.42 (8)(b) and (d)	49.52 (1)(d) or 51.42 (8)(b)
51.42 (8)(f) and (h)	pars. (a) to (d)	pars. (a) to (c)

(e) *Medical assistance divestment.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
49.02 (8)	49.46 (1)(f) or 49.47 (4)(d)	49.45 (17)

(f) *Public patient program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
142.10 (3)	142.07 (1)(a) or (b) and (c)	142.07 (1)(a) and (c)
146.16	chs. 142 to 146	chs. 143 to 146

(g) *Youth aids.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.22 (5m)(c)	20.435 (2)(cd)	20.435 (4)(cd)
49.51 (3)(c)	20.435 (2)(cd)	20.435 (4)(cd)

(gm) *Community housing alternatives program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.28 (3)	231.03 (6m)	234.70
46.28 (4)	231.03 (6m)	234.70
234.03 (2m)	234.50 and 234.60	234.50, 234.60 and 234.70
234.40 (4)	234.50 or 234.60	234.50, 234.60 or 234.70
234.50 (4)	234.40 or 234.60	234.40, 234.60 or 234.70
234.60 (2)	234.40 and 234.50	234.40, 234.50 and 234.70

(h) *Certificate of need.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
14.245 (1)(d)	ch. 150	140.82 (1)
20.435 (1)(j)	50.025, 50.36 (2) and 150.01 to 150.09	50.025 and 50.36 (2) and ch. 150
20.435 (1)(j)	150.12	150.13

(j) *General relief; elimination of legal settlement.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
46.106 (1)(intro.)	49.10	46.106
49.106	49.10	46.106
49.106	49.10 (4)	46.106 (4)
49.15 (2)	49.11	49.11, 1981 stats
49.17 (2)	49.11	49.11, 1981 stats
51.01 (14)	49.10 (12)(c)	46.106 (11)(c)
55.06 (8)(intro.)	49.10 (12)(c)	46.106 (11)(a)

**Vetoed  
in Part**

(22) **HIGHER EDUCATIONAL AIDS BOARD.**

(a) *Wisconsin higher education grant program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
39.435 (4)	subs. (5) and (6)	sub. (5)

(23) **HISTORICAL SOCIETY.**

(a) *Historic sites appropriation renumbering.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.370 (7)(aa)	20.245 (1)(f)	20.245 (2)(a) to (fm)
20.924 (4)	20.245 (1)(f), (g), (h), (m) and (n)	20.245 (1)(g), (h), (m) and (n) and (2)(a) to (fm)

(25) **INDUSTRY, LABOR AND HUMAN RELATIONS.**

(a) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
101.175 (4)(d)	101.57 (1) 101.57 (5)	16.957 (1) 16.957 (5)

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(32) JUSTICE.

(a) *Jail officer training.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
29.05 (2)	165.85 (4)(b)	165.85 (4)(b) 1
895.46 (1)(b) 1, as affected by 1983 Wis. Act 6	165.85 (4)(b)	165.85 (4)(b) 1

(33) LEGISLATURE.

(a) *Appropriations restructuring.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
13.121 (1)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.123 (1)(c)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.123 (2)(intro.)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.123 (3)(a)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.125	20.765 (1)(a)	20.765 (1)(a) or (b)
13.14 (1)	20.765 (1)(b)	20.765 (1)(c)
13.14 (2)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.14 (3)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.45 (3)(a)	20.765 (1)(a)	20.765 (1)(a) or (b)
13.57 (3)	20.765 (1)(a)	20.765 (1)(a) or (b)

(38) NATURAL RESOURCES.

(a) *Boat fees.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
25.29 (1)(b)	30.52 (8)	30.52 (4)
30.74 (1)(d)	30.52 (7)	30.52 (5)(a) 4 and (b) 3
100.42 (1)(b)	30.50 (1)	30.50 (2)
350.01 (13)	30.50 (3)	30.50 (9)

(b) *Dam inspection and safety administration.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
30.121 (4)	29.04 (1)	31.187 (1)

(c) *Endangered resources; tax check-off.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
25.29 (1)(a)	30.50 to 30.55 and 70.58	30.50 to 30.55, 70.58 and 71.097

(d) *Fish and wildlife fees and revisions.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
2.04	29.01 (4)	29.01 (9) and (11)
29.085	29.01 (4)	29.01 (9) and (11)
29.33 (2)(c)	29.01 (8)	29.01 (12)
30.20 (3)	29.01 (4)	29.01 (9) and (11)
30.71	29.01 (4)	29.01 (9) and (11)
30.745 (1)(c)	29.01 (4)(a)	29.01 (11)
30.92 (4)(b) 6	29.01 (4)	29.01 (9) and (11)
66.894 (2)(a) and (b)	29.01 (4)(a)	29.01 (11)
125.27 (2)(a)	29.01 (4)	29.01 (9) and (11)
125.51 (5)(c) 1	29.01 (4)	29.01 (9) and (11)
221.04 (1)(i)	29.01 (4)	29.01 (9) and (11)
350.01 (2)	29.01 (3)(a)	29.01 (5)
948.015	29.01 (3)	29.01 (4) to (7) and (10)

(e) *Local support appropriations.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
70.113 (1)	20.370 (4)(ea) and (eq)	20.370 (4)(fa) and (fq)
70.113 (2)(a)	20.370 (4)(ea) or (eq)	20.370 (4)(fa) or (fq)
87.31 (5)(a)	20.370 (4)(fc)	20.370 (4)(gc)
350.12 (4)(c)	20.370 (1)(mq), (3) (aq), (4)(ft) or (is) or (8)(dq)	20.370 (1)(mq), (3) (aq), (4)(gt) or (is) or (8)(dq)

(f) *State park and camping fees.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
27.01 (1)	sub. (2r)	subs. (7) to (9)
27.01 (7)(a) 3, as renumbered	par. (b) 5	par. (c) 5
77.54 (10)	27.01 (2r)	27.01 (7) to (9)

(g) *Waste management fund.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
70.395 (2)(j)	144.441 (6)(d) to (f)	144.441 (6)(d), (e) and (g)
144.441 (3)(f) and (5)(d)	sub. (6)(d) to (f)	sub. (6)(d), (e) and (g)
144.441 (6)(c)	pars. (d) to (f)	pars. (d), (e) and (g)
144.965 (2)(b)	144.441 (6)(g)	144.441 (6)(f)

(gr) *Radioactive waste site exploration.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
140.56 (2)	s. 144.83 (4)(i)	ss. 144.83 (4)(i) and 144.833

~~(h) *Waste facility siting.*~~

**Vetoed  
in Part**

A	B	C
Statute Sections	Old Cross-References	New Cross-References
144.445 (5)(d)	sub. (10)	sub. (9m)

(42) PUBLIC INSTRUCTION.

(a) *Appropriations revision.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
13.101 (6)(a)	20.255 (1)(cc), (cf) and (fg)	20.255 (2)(ac), (cg), (cr) and (q)
16.50 (1)(b)	20.255 (1)(cc)	20.255 (2)(ac)
16.52 (10)	20.255 (1)(cc)	20.255 (2)(ac)
20.255 (2)(ac), as renumbered	par. (cd)	par. (ag)
20.255 (2)(ag), as renumbered	par. (cc)	par. (ac)
25.28 (3)	20.255 (1)(t)	20.255 (2)(t)
43.24 (3)	20.255 (3)(d)	20.255 (1)(e)
79.10 (2)(am) 1 and 2	20.255 (1)(cc)	20.255 (2)(ac)
115.36 (3)(a)(intro.)	20.255 (1)(gm)	20.255 (2)(g)
115.53 (1)	20.255 (1)(bc)	20.255 (1)(fr)
115.53 (2) and (3)	20.255 (2)(a)	20.255 (1)(b)
115.75 (1)(a) and (3)	20.255 (4)(fn)	20.255 (2)(cw)
115.88 (3), (4), (5), (6) and (8)	20.255 (1)(bd)	20.255 (2)(b)
115.881	20.255 (1)(bd)	20.255 (2)(b)
116.52 (3)	20.255 (1)(cj)	20.255 (2)(fr)
117.03 (2)	20.255 (1)(cj)	20.255 (2)(fr)
121.007	20.255 (1)(cc), (cf), (fg) and (fs) and (4)(fg)	20.255 (2)(ac), (cg), (cr) and (q)
121.135 (2)	20.255 (1)(cc)	20.255 (2)(ac)

121.16	20.255 (1)(cc)	20.255 (2)(ac)
121.41	20.255 (1)(r)	20.255 (2)(r)
121.79 (1)(intro.)	20.255 (1)(cf)	20.255 (2)(cg)
121.85 (6)(e), (8) and (9)(c)	20.255 (1)(cc)	20.255 (2)(ac)

(c) *Publication of school district receipts and expenditures.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
120.74 (4)	120.48 (4)	120.11 (4)

(d) *School district reorganization procedures.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
24.60 (1)	117.02	117.02, 1981 stats.,
120.41 (2)	117.02	117.02, 1981 stats.,
120.50 (1)(intro.)	117.02	117.02, 1981 stats.,

(44) REGULATION AND LICENSING.

(a) *Appropriation renumbering.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
452.14 (5)	20.165 (2)(g)	20.165 (1)(g)

(45) REVENUE.

(a) *Research tax credit.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.09 (13)(cm)	sub. (7), (11) or (12)	sub. (7), (11), (12), (12m) or (12r)

(b) *Earned income credit.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.09 (13)(cm)	sub. (7), (11) or (12)	sub. (7), (11), (12), (12m) or (12t)

(e) *Levy limits.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
79.085 (1)(c) and (2)	79.08 (3)	79.08 (3), 1981 stats.

(f) *State property tax relief.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.835 (2)(a), as affected by 1983 Wis. Act 2	79.10 (5)	79.10 (2), (5) and (6)
<del>20.835 (2)(a), as affected by 1983 Wis. Act 2</del>	<del>79.10 (2) and (3)</del>	<del>79.10 (2), (6) and (7)</del>

**Vetoed  
in Part**

(h) *Dependent care credit.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
71.09 (13)(cm)	sub. (7), (11) or (12)	sub. (7), (11), (12), (12c) or (12m)

(i) *Mining tax.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
13.83 (5)(b)	70.395 (1)(a)	70.395 (1)(a) and (1g) (b)
70.375 (4)(intro.)	sub. (2)	sub. (2) or (2m)
70.395 (2)(g)(intro.)	sub. (1)(a)	subs. (1)(a) and (1g) (b)

(j) *Research facilities credit.*

A	B	C
Statute Sections 71.09 (13)(cm)	Old Cross-References sub. (7), (11) or (12)	New Cross-References sub. (7), (11), (12), (12m) or (12rf)

(k) *Shared revenue distribution schedule.*

A	B	C
Statute Sections 20.835 (1) (d) 25.50 (3) (b)	Old Cross-References 79.02, 79.03 and 79.04 79.02 (2) (am), 79.03 (1)	New Cross-References 79.03 and 79.04 79.03
33.32 (3) (b) 79.015	ss. 79.02 and 79.03 79.02 (2) (am), 79.03 (1)	s. 79.03 79.03

(L) *Utilities tax.*

A	B	C
Statute Sections 66.069 (2)(b) 70.04 (1) 70.30 (10) 71.04 (15)(bm) 1	Old Cross-References ss. 76.01 to 76.26 76.02 (8) 76.02 (8) s. 76.02 (4), (5b) and (8)(a), (c) or (d)	New Cross-References s. 76.28 76.28 (1) 76.28 (1) ss. 76.02 (4) and (5b) and 76.28 (1)(e) 1, 3 or 4
76.02 (5b) 76.02 (11) 182.025 (2)	76.02 (8) sub. (8) s. 76.02 (5b) and (8)	76.28 (1) s. 76.28 (1) ss. 76.02 (5b) and 76.28 (1)

~~(m) *Home rehabilitation credit.*~~

**Vetoed  
in Part**

A	B	C
<del>Statute Sections 71.09 (13)(a), (b) and (d) 71.09 (13)(cm)</del>	<del>Old Cross-References sub. (7), (11), (12) or (12m) sub. (7), (11) or (12)</del>	<del>New Cross-References sub. (7), (11), (12), (12m) or (12p) sub. (7), (11), (12), (12m) or (12p)</del>

(n) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections 71.09 (12)(c) 1 and 2, (dg) and (dr) 71.09 (12)(i)	Old Cross-References 101.57 (5)  101.57 (8)(a)	New Cross-References 16.957 (5)  16.957 (8)(a)

(49) **SOLID WASTE RECYCLING AUTHORITY.**

(a) *Abolishing the authority.*

A	B	C
Statute Sections 16.004 (4) 16.004 (5) 25.50 (1)(d)	Old Cross-References chs. 231, 232 and 234 chs. 231, 232 and 234 231.02, 232.02 (1) or 234.02	New Cross-References chs. 231 and 234 chs. 231 and 234 231.02 or 234.02

(53) **UNIVERSITY OF WISCONSIN SYSTEM.**

(a) *Medical school tuition rates.*

A	B	C
Statute Sections 36.275	Old Cross-References 39.377	New Cross-References 39.377, 1981 stats

(57) **OTHER.**

(c) *Medical assistance recipient in action affecting the family.*

A	B	C
Statute Sections 767.075	Old Cross-References s. 49.19	New Cross-References s. 49.19 or 49.45

(d) *Program supplement appropriations.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
11.37	20.865 (5)(h)	20.855 (6)(h)
20.907 (3)	20.865 (5)	20.855 (6)(g)
20.907 (5)(c)	20.865 (5)(j)	20.855 (6)(j)

(e) *Renewable energy resource system incentive program transfer.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
66.031 (intro.)	101.57 (8)(b)	16.957 (8)(b)
700.41 (2)(f)	101.57 (8)(b)	16.957 (8)(b)

**SECTION 2203. Initial applicability.**

(1) ADMINISTRATION.

(a) *Council appointments.* The treatment of section 15.107 (2) and (6) of the statutes by this act applies to appointments to the council on small and minority business opportunities and the council on data processing made on and after the effective date of this paragraph.

(b) *Capitol restoration or reconstruction.* The treatment of section 16.855 (18) of the statutes by this act first applies to contracts for restoration or reconstruction of the state capitol building awarded after the effective date of this paragraph.

(6) CIRCUIT COURTS.

(a) *Reimbursement for children's legal services.* The treatment of sections 48.27 (8) and 48.275 (2) (a), (c), (cg), (cr), (d) and (e) of the statutes by this act first applies to proceedings arising out of petitions filed under sections 48.12 and 48.13 of the statutes on the effective date of this paragraph.

(b) *Paternity proceedings.* The treatment of section 767.50 of the statutes by this act applies to any trial the first part of which is commenced on or after the effective date of this paragraph.

(c) *Dispositional orders.* The treatment of section 48.355 (2) (a) of the statutes by this act first applies to dispositional orders entered on October 1, 1983.

(13) EMPLOYE TRUST FUNDS.

(a) *Health insurance payments.* The treatment of section 40.05 (4) (a) 1 and 2 of the statutes by this act first applies to the premium policy year beginning on January 1, 1984.

(20) HEALTH AND SOCIAL SERVICES.

(a) *Involuntary alcohol commitment proceedings.* The treatment of section 51.45 (13) (a) (intro.), 3, 4 and 5 and (g) of the statutes by this act first applies to proceedings in which a petition is filed under section 51.45 (13) (a) of the statutes and to proceedings on the effective date of this paragraph. The treatment of section 51.45 (13) (a) (intro.), 3, 4 and 5 and (g) of the statutes by this act does not apply to recommitment proceedings in which a petition is filed under section 51.45 (13) (h) or (i) of the statutes if the original petition under section 51.45 (13) (a) of the statutes was filed prior to the effective date of this paragraph.

(c) *Incentive payments for recovery of medical assistance benefits.* The treatment of section 49.65 (6) of the statutes by this act first applies to recoveries made under section 49.65 of the statutes on the effective date of this paragraph.

(d) *Inpatient health care facility licensing fees.* The treatment of sections 101.124, 140.85, 140.86, 146.81 (1) and 632.89 (2) (b) 2 and (2m) of the statutes by this act first applies to fees payable by inpatient health care facilities on or before October 1, 1983.

~~(e) General rule: elimination of legal settlement.~~

**Vetoed  
in Part**

1. The treatment of sections 49.01 (7), 49.02 (2), 49.02 (5) (c) 1, 2 and 3 and (d) (by SECTION 1009m), 49.04 (1) (by SECTION 1014g), 49.04 (2), (3) and (4), 49.10 (1) to (10) and (12) and 49.11 (title), (1), (2) (intro.), (a) (title) and 1, (b) and (c), (3) (a) and (4) (intro.), (a), (b) 1, 3 and 4, (c), (e) 2 and 4 and (f) 1 of the statutes and SECTION 2202 (20) (j) of this act first applies to general relief provided under section 49.02 of the statutes on January 1, 1988.

2. The repeal of sections 49.02 (3), 49.10 (11) and 49.11 (4) (d) of the statutes first applies to general relief provided under section 49.02 of the statutes on January 1, 1988.

3. The creation of section 49.11 (1m) of the statutes first applies to general relief provided under section 49.02 of the statutes on January 1, 1988.

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Location of revocation hearings.* The treatment of section 145.10 (3) of the statutes by this act applies to any hearing held on or after the effective date of this paragraph.

(b) *Replacement housing payments.* The treatment of section 32.19 (4) (a) (intro.), 1 and 4 and (b) of the statutes and the creation of section 32.19 (4) (bm) of the statutes by this act apply to any person who moves from real property or who moves his or her personal property from real property, as described under section 32.19 (2) (c) of the statutes, on or after the effective date of this paragraph.

**Vetoed  
in Part**

(g) *U.C. cause for quit exception.* The creation of section 108.04 (7) (em) of the statutes by this act applies commencing with benefit years beginning on or after the first Monday after the effective date of this act.

(j) *U.C. extended benefit changes.* The treatment of section 108.141 (4) and (5) (a) (intro.), 1 and 3 of the statutes by this act applies with respect to benefits payable for weeks of unemployment commencing after September 1, 1983.

(k) *U.C. Wisconsin supplemental benefit changes.* The treatment of section 108.142 (1) (a) 1 and 2. (intro.) and b, (3) and (4) of the statutes by this act applies with respect to benefit years which begin during and after the first week commencing in January, 1984.

(L) *U.C. rate schedule correction.* The treatment of 108.18 (4) (figure) and (9) (figure) of the statutes by this act applies with respect to payrolls beginning on January 1, 1984.

(m) *U.C. voluntary contribution refunds.* The treatment of section 108.18 (7) (a) and (b) of the statutes by this act applies with respect to voluntary contributions made on and after the effective date of this act.

(26) INSURANCE.

(a) *Health insurance risk sharing plan.* The treatment of section 619.14 (4) (m), (5) (a) and (c) and (6) of the statutes by this act applies to health insurance risk sharing plan policies issued or renewed on or after the effective date of this paragraph.

(b) *Coverage of chiropractic services.* The treatment of sections 40.52 (1) (c), 185.981 (1) to (4m), 185.982 (title), (1) and (2), 628.33 and 632.87 of the statutes and the creation of section 632.87 (3) and (4) of the statutes by this act:

**Vetoed  
in Part**

1. Apply to all insurance contracts and health care plans delivered or issued for delivery in this state on or after the effective date of those sections.

2. Except as provided in subdivision 3, apply to all insurance contracts and health care plans delivered or issued for delivery in this state before the effective date of those sections when the insurer next has the right to refuse to renew the policy or to change the premium, but not later than one year after the effective date of those sections.

3. Do not apply to insurance contracts and health care plans issued before the effective date of those sections if the issuer does not have the right to refuse to renew the coverage or to increase its premiums to meet any actual additional cost of alternative coverage required under those sections.

(c) *Health insurance continuation and conversion.* The treatment of section 632.897 (1m) of the statutes by this act applies to group health insurance policies issued or renewed on or after January 1, 1984.

(d) *Health maintenance organizations.* The treatment of section 628.36 (2m) of the statutes by this act:

1. Applies on and after the effective date of this act to health maintenance organizations in operation before the effective date of this act.

2. Applies on and after January 1, 1984, to health maintenance organizations beginning operation on or after the effective date of this act.

(33) LEGISLATURE.

(a) *Expense payments.* The treatment of section 13.123 (1) (a) 1 of the statutes by this act initially applies upon approval of a new rate of expense allowance by the joint committee on employment relations under sections 20.916 (8) and 230.12 of the statutes, as affected by this act, on or after the effective date of this paragraph.

~~(c) *Restructuring, legislature.* Sections 8.15 (9) and 8.20 (10) of the statutes, as affected by this act, first apply to the regular 1984 September primary and November general elections for representative in congress, and for members of the senate and assembly.~~

**Vetoed  
in Part**

(38) NATURAL RESOURCES.

(a) *Fishing licenses and inland waters trout stamps; fee revisions; January 1, 1984.* The treatment of sections 29.09 (4), 29.14 (2) (b) to (g), 29.145 (2), (3) and (4) (b), 29.146 and 29.148 (1) (intro.) of the statutes and the creation of section 29.092 (3) (a) to (c) and (h) to (m) and (13) (d) of the statutes by this act first apply to fishing licenses and inland waters trout stamps and duplicates of these licenses and stamps which are issued for an effective period commencing on or after January 1, 1984. Fishing licenses and inland waters trout stamps and duplicates of these licenses and stamps which are issued for an effective period commencing prior to January 1, 1984, shall be issued in compliance with these sections of the statutes as if this act were not in effect.

~~(am) *Nonresident commercial fishing licenses; fee increase; July 1, 1984.* The treatment of section 29.33 (2) (b) of the statutes and the creation of section 29.092 (7) (d) to (l) of the statutes by this act first apply to nonresident commercial fishing licenses which are issued for an effective period commencing on or after July 1, 1984. Nonresident commercial fishing licenses which are issued for an effective period commencing prior to July 1, 1984, shall be issued in compliance with these sections of the statutes as if this act were not in effect.~~

**Vetoed  
in Part**

(b) *Hunting, trapping and sports licenses; fee revisions; September 1, 1984.* The treatment of sections 29.09 (4), 29.10, 29.104 (1), 29.105 (1), 29.109 (1), 29.13 (1) and 29.147 (1) of the statutes and the creation of section 29.092 (2) (a) to (k), (4) (a), (6) (a) and (13) (a) to (c) of the statutes by this act first apply to hunting licenses, trapping licenses and sports licenses and duplicates of these licenses which are issued for an effective period commencing on or after September 1, 1984. Hunting licenses, trapping licenses and sports licenses which are issued for an effective period commencing prior to September 1, 1984, shall be issued in compliance with these sections of the statutes as if this act were not in effect.

(c) *Senior citizen recreation cards; fee revisions; January 1, 1984.* The treatment of section 29.095 (1) and (4) of the statutes and the creation of section 29.092 (12) and (13) (e) of the statutes by this act first apply to senior citizen recreation cards and duplicates of that card which are issued for an effective period commencing on or after January 1, 1984. Senior citizen recreation cards and duplicates of this card which are issued for an effective period commencing prior to January 1, 1984, shall be issued in compliance with these sections of the statutes as if this act were not in effect.

(d) *Fish and wildlife approvals; penalties.* The treatment of sections 29.642 (title), (1) (intro.) and (c) and (2), 29.643 (intro.) and (3), 29.99 (2) (intro.) and (c), (5), (7), (11), (12) and (15), 29.995 (1) and 29.998 (1) (a) of the statutes by this act first applies to any violation occurring on July 1, 1983, or the date following publication of this act, whichever is later.

~~(e) *Waste facility siting.* 1. The treatment of section 144.445 (8) (a), (am) (intro.), (b) (intro.) and 7, (9m), (10) (title) and (b) to (j) and (10m) of the statutes by this act applies to a solid waste disposal facility or a hazardous waste treatment, storage and disposal facility if the waste facility siting board has not issued a notice under section 144.445 (6) (b), 1981 stats., with respect to the facility prior to July 1, 1983, or the day following publication of this act, whichever is later.~~

**Vetoed  
in Part**

~~2. If the waste facility siting board has issued a notice under section 144.445 (6) (b) of the statutes, with respect to a solid waste disposal facility or a hazardous waste treatment, storage or disposal facility, but both final offers have not been submitted for the facility under section 144.445 (10) (c), 1981 stats., the local committee may submit a petition to initiate arbitration under section 144.445 (9m) of the statutes, as created by this act, notwithstanding the time limits in section 144.445 (9m) of the statutes, as created by this act. If the waste facility siting board grants the petition to arbitrate under section 144.445 (9m) of the statutes, as created by this act, any final offer received under section 144.445 (10) (c), 1981 stats., with respect to the proposed facility is void and a new final offer may be submitted notwithstanding the time limits in section 144.445 (9m) of the statutes, as created by this act.~~

~~3. If both final offers have been submitted under section 144.445 (10) (b), 1981 stats., prior to July 1, 1983, or the day following publication of this act, whichever is later, section 144.445, 1981 stats., applies with respect to that solid waste disposal facility or hazardous waste treatment, storage or disposal facility.~~

(41) PUBLIC DEFENDER BOARD.

(a) *Counsel for paternity determination.* The treatment of section 767.52 (2) of the statutes by this act applies to a proceeding relating to custody, visitation or related issues which is commenced on or after the effective date of this paragraph.

(42) PUBLIC INSTRUCTION.

(a) *Uniform financial fund accounting.* The treatment of section 115.28 (13) of the statutes by this act first applies to county handicapped children's education boards in the 1984-85 school year.

(b) *Calculation of excess tax base loss reimbursement for 1982-83.* The repeal of section 121.11 (2) of the statutes by this act first applies to the calculation of reimbursement to school districts for excess tax base loss under section 121.11 of the statutes for the 1982-83 school year.

(d) *Secondary guaranteed valuation per member.* The treatment of section 121.07 (7) (b) of the statutes by this act first applies to the calculation of state aid for the 1983-84 school year.

(43) PUBLIC SERVICE COMMISSION.

(a) *Automatic fuel adjustment provisions.* The treatment of section 196.20 (4) (b) of the statutes by this act first applies to any rate order approved 180 days after the effective date of this paragraph or the effective date of the rule published under section 196.20 (4) (d) of the statutes, as created by this act, whichever is sooner.

(45) REVENUE.

(a) *Creditor actions.* The treatment of section 128.17 (1) (c) and (e) of the statutes by this act applies to actions under chapter 128 of the statutes commenced on or after the effective date of this paragraph.

(b) *Endangered resources; tax check-off.* The treatment of section 71.097 of the statutes by this act first applies to taxable year 1983.

(c) *Expert assessment help.* The treatment of section 70.055 (4) of the statutes by this act first applies to requests from a municipality to employ a department of revenue employe as an expert appraiser that the department of revenue receives on the effective date of this paragraph.

(d) *Order of computations.* The creation of section 71.65 of the statutes and the creation of the final sentence of section 71.60 (2) of the statutes by this act first apply to taxable year 1983.

(e) *Municipal financial reports.* The treatment of section 73.10 (2) (a) and (b) of the statutes by this act first applies to financial statements, notes and supporting schedules covering the fiscal year ending December 31, 1985.

(f) *Petitions for reassessment.* The treatment of section 70.75 (1) (a) of the statutes by this act first applies to petitions for reassessment that meet the conditions specified under section 70.75 (1) (a) 2 of the statutes and that the department of revenue receives on the effective date of this paragraph.

(g) *Tax appeals commission; deadline for determinations.* The treatment of section 73.01 (5) (a) of the statutes by this act first applies to determinations issued by the state board of assessors on the effective date of this paragraph.

(h) *Allocation of spouses' standard deduction.* The treatment of section 71.05 (3) (g) of the statutes by this act first applies to taxable year 1983.

(i) *Definition of "internal revenue code".* The treatment of sections 72.12 (4) (c) 1 and 72.22 (4) (a) of the statutes by this act first applies to transfers because of deaths occurring on the first day of the first month commencing after the month in which publication of this act occurs.

(j) *Motor fuel tax liability.* The treatment of section 78.07 (1) (b) of the statutes by this act first applies to transfers of motor fuel on which the motor fuel tax is imposed on the effective date of this paragraph.

(k) *Property tax and rent credit.* The treatment of section 71.53 (1) (b) and (c) and (2) of the statutes by this act first applies to taxable year 1983.

(L) *Research credit.* The treatment of sections 71.04 (2) (b) 5, 71.05 (1) (a) 16 and 71.09 (12r) of the statutes by this act first applies to taxable year 1984.

(m) *The minimum tax.* The treatment of section 71.60 (1) (c) and (d) and the cross-reference change in section 71.60 (2) of the statutes by this act first apply to taxable year 1983.

(n) *Two-earner deduction and adoption expenses.* The treatment of section 71.05 (1) (a) 17 and (b) 7 of the statutes by this act first applies to taxable year 1983.

(p) *Allocation of payments.* The treatment of section 71.09 (9) of the statutes by this act first applies to taxable year 1983.

(pr) *Corporations' estimated taxes.* The treatment of section 71.22 (1), (9) (intro.) and (10) (c) (intro.) of the statutes first applies to taxable year 1984. The treatment of section 71.22 (10) (a) and (b) first applies to taxable year 1983.

(q) *Definition of "income", "rent" and "property taxes".* The treatment of section 71.09 (7) (a) 1, 6 and 8 and (11) (a) 6. a and b of the statutes first applies to claims filed based on property taxes accrued or rent constituting property taxes accrued during 1983.

(qg) *Depreciation of utility property.* The treatment of section 71.04 (15) (b) of the statutes as it relates to utility property and the treatment of section 71.04 (15) (bm) (intro.) of the statutes by this act first apply to taxable year 1984.

(qr) *Disallowance of deductions and losses.* The treatment of section 71.04 (2) (b) 9 and (7m) of the statutes by this act first applies to taxable years in respect to which additional assessments and refunds may be made on the effective date of this act.

(r) *Drop shipments.* The treatment of section 71.07 (2) (c) 2m of the statutes by this act first applies to taxable year 1983.

(rg) *Expenses related to nontaxable income.* The treatment of section 71.04 (2) (b) 9 of the statutes by this act first applies to the earliest taxable year in respect to which additional assessments or refunds may be made on the effective date of this act.

(rr) *Farmland preservation credit.* The treatment of sections 71.09 (11) (a) 3m and 91.01 (1) of the statutes by this act first applies to claims filed for taxable year 1983.

(s) *Gain by trusts.* The treatment of section 71.05 (1) (a) 22 of the statutes by this act first applies to taxable year 1983.

(se) *Modification of federal adjusted gross income.* The treatment of section 71.05 (5) of the statutes by this act first applies to taxable year 1983.

(sm) *Filing requirements.* The treatment of section 71.10 (2) (a) 5. (intro.), c and d of the statutes first applies to taxable year 1983.

(sr) *Health care coverage payments.* The treatment of sections 40.51 (6), 71.01 (3) (a) 3 and (c) 3, 71.04 (2) (b) 7 and 71.05 (1) (a) 21 of the statutes by this act first applies to payments for health care coverage by an employer on July 1, 1985, or on the first day after the expiration date of any collective bargaining agreement in effect on the effective date of this paragraph between that employer and the bargaining unit that represents the employe for whom or for whose family the payment is made, whichever is later.

(tg) *Individual retirement account penalties.* The treatment of section 71.11 (44m) of the statutes by this act first applies to penalties imposed for federal income tax purposes on the effective date of this act.

(tr) *Individual retirement accounts.* The treatment of section 71.05 (3) (h) of the statutes by this act first applies to taxable year 1982.

(ug) *Net interest.* The treatment of section 71.05 (1) (a) 23 of the statutes by this act first applies to the taxable year beginning after December 31, 1984.

(ur) *Penalties on manufacturing property.* The treatment of section 70.995 (12) (c) and (d) of the statutes by this act first applies to penalties in respect to assessments made during 1983.

(v) *Research facilities credit.* The treatment of section 71.09 (12rf) of the statutes by this act first applies to taxable year 1984.

(vg) *Review of assessment practices.* The treatment of sections 20.566 (2) (h) (by SECTION 472m), 73.08 (1) (by SECTION 1264h) and 73.08 (2) (by SECTION 1264i) of the statutes first applies to reviews of assessments begun on July 1, 1985.

(w) *Taxation of payments in kind.* The treatment of section 71.03 (1) (k) of the statutes by this act first applies to taxable years ending after December 31, 1982.

(we) *The definition of "enjoyment" for the use tax.* The treatment of section 77.51 (15) of the statutes, as it relates to the definition of "enjoyment", by this act first applies to property shipped into this state on the first day of the 2nd month after publication of this act.

(ws) *Interest on sales tax refunds.* The treatment of section 77.60 (1) (a) of the statutes by this act first applies to refunds certified on the refund rolls on the first day of the 2nd month beginning after publication of this act.

(wv) *Treble damages.* The treatment of section 71.04 (2) (b) 8 of the statutes by this act first applies to taxable year 1983.

(x) *Health care benefits.* The treatment of sections 40.51 (3), 71.01 (3) (a) 2 and (c) 2, 71.04 (2) (b) 10 and 71.05 (1) (a) 24 of the statutes by this act first applies to health care benefits provided by an employer on January 1, 1984, or on the first day after the expiration of any collective bargaining agreement in effect on the effective date of this paragraph between that employer and the bargaining unit that represents the employe for whom or for whose family the payment is made, whichever is later.

(y) *Powers of investigation, additional fees, refunds, penalties.* The treatment of section 77.26 of the statutes by this act applies to all documents recorded after January 1, 1983, except that no penalties shall be imposed relating to documents recorded prior to the effective date of this paragraph.

(51) TRANSPORTATION.

(a) *Connecting highway aids.* The treatment of section 86.32 (2) (b) 4 of the statutes by this act applies to the instalment date occurring on or after the effective date of this paragraph.

(b) *Local transportation aids.* 1. The treatment of sections 86.30 (1) (a), (be), (bm), (bs) and (d), (2) (title), (a) and (c), (4), (6) (a) and (9) and 86.303 (4) of the statutes by this act first applies to the local transportation aids payment occurring on January 2, 1984.

2. The treatment of section 86.303 (5) (e) and (7) (b) of the statutes by this act first applies to cost reports submitted and audits ordered in 1984.

(c) *Major highway projects.*

1. Except as provided in subdivision 2, the treatment of section 84.013 of the statutes by this act first applies to major highway projects on the effective date of this act.

2. a. The treatment of section 84.013 of the statutes by this act first applies to interstate projects funded under section 20.395 (3) (gq) to (gx) of the statutes initiated on July 1, 1985.

b. The treatment of sections 13.489 and 84.013 (5) of the statutes by this act, as it applies to review of major highway projects by the transportation projects commission, first applies to adjustments requested for the 1985-87 biennial budget.

c. The treatment of sections 13.489 and 84.013 (6) of the statutes by this act, as it relates to review of major highway projects by the transportation projects commission, first applies to projects submitted under section 84.013 (6) of the statutes on July 1, 1985.

(d) *Mass transit operating assistance.* The treatment of section 85.20 (4m) (a) and (em) 1 of the statutes by this act first applies to operating costs and expenses incurred by the applicant on January 1, 1984.

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Salary rates for executive employes.* The treatment of section 20.923 (15) (b) of the statutes by this act first applies to salaries set in accordance with the 1983-85 compensation plan for positions assigned to executive salary groups approved under sections 20.923 (1) and 230.12 of the statutes on or after the effective date of this paragraph.

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Educational approval board.* The treatment of section 38.51 (1) (g), (2), (7) (g) and (10) (b) and (c) of the statutes by this act applies to teaching locations established on or after the effective date of this paragraph and to applications received by the educational approval board on or after the effective date of this paragraph.

(b) *District aidable cost.* The treatment of section 38.28 (1m) (a) of the statutes by this act first applies to calculation of a vocational, technical and adult education district's state aid and budget for the 1983-84 fiscal year.

(c) *Interdistrict nonresident tuition.* The treatment of section 38.24 (3) (c) of the statutes by this act first applies to interdistrict contractual agreements pertaining to students who are enrolled in a jointly offered postsecondary program or who meet the hardship

criteria established under section 38.04 (16) of the statutes during any semester beginning after November 30, 1983.

(d) *Program fees.* The treatment of section 38.24 (1) (a) and (b) of the statutes by this act first applies to the establishment of fees for the 1984-85 academic year.

(57) OTHER.

(a) *Attorney fees in actions affecting the family.* The treatment of section 767.262 of the statutes by this act first applies to any order or judgment entered on the effective date of this paragraph in an action affecting the family.

(b) *Child support; how to determine.* With respect to determining the amount of child support owed by either considering factors set forth in the statutes or using an income percentage standard adopted by the department of health and social services under section 767.395 (3) of the statutes, as created by this act, the treatment of sections 767.08 (1) (by SECTION 1756), 767.25 (1) (intro.) and (a) to (i), (1m) (intro.) and (1p), and 767.51 (5) (intro.) and (5m) of the statutes by this act applies to any action commenced or judgment revised on or after the effective date of this paragraph.

(c) *Child support order; how to express.* With respect to expressing a support amount as a percentage of income or as a fixed sum, the treatment of sections 767.08 (1) (by SECTION 1756), 767.23 (1) (c), 767.25 (1) (intro.), 767.32 (1), 767.33 (1m) and 767.51 (4) of the statutes by this act applies to any judgment or order entered on or after the effective date of this paragraph.

(d) *Salary rates for elected state officials.* The treatment of section 20.923 (2) (a) 1, 5, 6, 7, 8, 9 and 12, (b), (c), (e), (f), (h) and (i) of the statutes and the creation of section 20.923 (2) (g) of the statutes by this act first apply to salaries set in accordance with the 1983-85 compensation plan for positions assigned to executive salary groups approved under sections 20.923 (1) and 230.12 of the statutes on or after the effective date of this paragraph.

(e) *Maintenance action; service on agency.* The treatment of section 767.15 of the statutes by this act first applies to any action commenced on the effective date of this paragraph.

(f) *Recovery of public assistance from worker's compensation benefit.* The treatment of section 102.27 (2) of the statutes and the creation of section 102.27 (2) (b) of the statutes by this act apply to any worker's compensation award or payment made on or after the effective date of this paragraph.

(g) *Reports of commissions, boards and councils.* The treatment of sections 14.24 (2) (c), 15.06 (7), 15.07 (6), 15.09 (7), 16.755 (5), 24.57, 73.01 (3) (b) and 165.85 (6) of the statutes by this act first applies to reports of commissions, boards and councils submitted for the period commencing on July 1, 1983.

(h) *State mileage reimbursement rates.* The treatment of sections 16.535 (7) (c) and 20.916 (4) (e) of the statutes by this act first applies on the first day of the first month commencing after the effective date of this paragraph, or the date specified in the 1983-85 compensation plan under section 230.12 of the statutes if the plan is approved prior to that day and specifies a later initial date of application.

(i) *Federal aid disallowances.* Section 16.544 (1) of the statutes, as created by this act, initially applies to federal aid disallowances of which state agencies are notified on the first day of the first month commencing after the effective date of this act.

(j) *MMSD; elected officials.* The treatment of section 66.882 (2) (a) of the statutes by this act first applies to the appointment and reappointment of commissioners for terms commencing on the 2nd Tuesday in July, 1984.

**SECTION 2204. Effective dates.** All sections of this act take effect on July 1, 1983, or the day following publication, whichever is later, unless another date is provided:

(1) ADMINISTRATION.

(a) *Minority business reports.* The treatment of section 16.75 (3m) (c) 4 of the statutes takes effect on July 1, 1984.

(6) CIRCUIT COURTS.

(a) *Court fees.* The treatment of sections 814.61 (1) (a), (3), (7) and (8) (a) 1 and 2 and 814.62 (1) and (3) (a) and (b) of the statutes takes effect August 1, 1983, or the day following publication of this act, whichever is later.

(16) ETHICS BOARD.

(a) *Attachment of judicial commission.* The treatment of sections 15.625, 19.42 (10) (i) and (13) (h), 19.47 (2), 20.665 (1) (c) and (m), 20.923 (4) (b) 2m, 230.08 (2) (o), 757.83 (1) and (4) and 757.94 of the statutes and SECTION 2016 (1) and (2) of the act takes effect July 1, 1984.

(20) HEALTH AND SOCIAL SERVICES.

(a) *Aid to families with dependent children; shelter costs.* The repeal of section 227.01 (11) (i) of the statutes takes effect on January 1, 1984.

(c) *Community aids funding.*

2. The repeal of sections 49.52 (1) (d) 1 and 51.42 (8) (b) 1 of the statutes takes effect on January 1, 1984.

(d) *Community options program.* The treatment of section 46.27 (7) (c) 1 of the statutes takes effect on January 1, 1984.

(e) *Community aids.* The repeal of section 49.52 (1) (dm) and (ds) of the statutes takes effect on January 1, 1984.

(f) *Certifying community-based residential facilities as medical assistance providers.* The treatment of section 49.45 (16) of the statutes takes effect on January 1, 1984.

(h) *Work incentive demonstration program.*

1. The treatment of sections 20.435 (4) (b) (by SECTION 365s) and 49.50 (7) (title) and (a) of the statutes takes effect on September 30, 1983.

2. The creation of sections 20.435 (4) (bg), (bm), (pm) and (ps) and 20.445 (1) (kg) and (kk) of the statutes and of SECTION 2020 (2) of this act takes effect on September 30, 1983.

3. The repeal of sections 20.445 (1) (y) and (ya) and 49.50 (7) (d) of the statutes takes effect on September 30, 1983.

4. The repeal and recreation of section 101.30 of the statutes takes effect on September 30, 1983.

~~(i) *General relief; elimination of legal settlement.*~~  
1. The treatment of sections 49.01 (7), 49.02 (3), 49.02 (5) (c) 1, 2 and 3 and (d) (by SECTION 1009m), 49.04 (1) (by SECTION 1014g), 49.04 (2), (3) and (4), 49.10 (1) to (10) and (12) and 49.11 (title), (1), (2) (intro.), (a) (title) and 1, (b) and (c), (3) (a) and (4) (intro.), (a), (b) 1, 3 and 4, (c), (e) 2 and 4 and (f) 1 of the statutes and SECTION 2202 (2) (j) of this act take effect on January 1, 1988.

~~2. The repeal of sections 49.02 (3), 49.10 (11) and 49.11 (4) (d) of the statutes takes effect on January 1, 1988.~~

~~3. The creation of section 49.11 (1m) of the statutes takes effect on January 1, 1988.~~

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Transfer of renewable energy resource systems incentive program.* The treatment of sections 20.445 (1) (e), 71.04 (16) (a) and (d), 101.57 of the statutes and of SECTIONS 2025 (3), 2033 (3m), 2201 (1) (j) and 2202 (1) (d), (5) (b), (25) (a), (45) (n) and (57) (e) of this act takes effect on January 1, 1984.

(26) INSURANCE.

**Vetoed  
in Part**

**Vetoed  
in Part**

~~(a) Coverage of chiropractic services. The treatment of sections 40.52 (1) (c), 185.981 (1) to (4m), 185.982 (title), (1) and (2), 628.33 and 632.87 of the statutes and the creation of section 632.87 (3) and (4) of the statutes take effect on the first day of the 3rd month beginning after publication of this act.~~

(b) *Preferred provider organizations.* The treatment of section 628.36 (2a) (a) to (e) and (g) to (i) of the statutes takes effect on July 1, 1984.

(32) JUSTICE.

(a) *Crime victim and witness assistance surcharge.* The treatment of section 973.045 of the statutes takes effect on the first day of the 3rd month commencing after its publication.

(38) NATURAL RESOURCES.

(am) *Wild turkey hunting stamps; January 1, 1984.* The treatment of section 29.103 (2) and (3) of the statutes and the creation of sections 29.092 (2) (L), 29.093 (2) (d) and 29.103 (2) of the statutes take effect on January 1, 1984.

(bm) *Nonresident fur-bearing animal hunting license and conservation patron license; September 1, 1984.* The amendment of section 27.01 (7) (c) 5 (by SECTION 666g) and 6 (by SECTION 666r) and (f) 1 (by SECTION 668) and (8) (b) 1 (by SECTION 671g) and 2 (by SECTION 671r) of the statutes and the creation of sections 27.01 (7) (c) 7 and (8) (b) 3 (by SECTION 672), 29.092 (2) (j), (4) (b) and (14) (c), 29.116 and 29.1475 of the statutes take effect on September 1, 1984.

(cm) *State park and camping fees.* The treatment of section 27.01 (2r) (title), (a) 1 to 4, 6 and 7, (b) (intro.) and 1 to 6, (c) and (e), (2v), (3), (5), (6), (8) (by SECTION 669) and (9) of the statutes, the renumbering of section 27.01 (2r) (f) and (7) (intro.) and (a) to (o) of the statutes, the renumbering and amendment of section 27.01 (2r) (a) 5 (by SECTION 650) of the statutes and the creation of section 27.01 (7) (by SECTION 666), (8) (title) and (b) to (f) (titles) and (10) of the statutes and SECTIONS 2201 (32) (c) and 2202 (38) (f) of this act take effect on January 1, 1984.

(d) *Water quality appropriations.* The repeal of section 20.370 (2) (ab) of the statutes takes effect on June 30, 1985.

(fm) *Boat fees.* The treatment of sections 30.50 and 30.51 to 30.55 of the statutes and the creation of sections 30.50 (3), (7) and (10), 30.51 (1) (title) and (b) and (2) (title), (a) 1 and 2 and (c), 30.52 (1) (title), (a) 2 and (b), (3) (b) to (g) and (j) and (5) (title), (b) and (c), 30.525 and 30.53 (1) (title) and (b) and (2) of the statutes and SECTION 2201 (45) (a) and SECTION 2202 (38) (a) of this act take effect on April 1, 1984.

(gm) *Municipal waste flow control.* The treatment of sections 59.07 (133), 61.345, 62.225, 144.792 and 144.794 of the statutes and SECTION 2201 (43) (bn) of this act takes effect on January 1, 1984.

**Vetoed  
in Part**

~~(h) Recycling and resource recovery loan program. The creation of section 20.866 (2) (1) of the statutes takes effect on January 1, 1985.~~

(42) PUBLIC INSTRUCTION.

(a) *Repeal of cost controls.* The treatment of section 121.155 and subchapter VII of chapter 121 of the statutes takes effect on July 1, 1983.

(b) *Cooperative educational service agencies.* The treatment of sections 115.28 (3m), chapter 116 (title), subchapter I (title) of chapter 116, 116.01, 116.02 (1) (a) to (d), 116.03 (3) and (13) and 116.055 of the statutes, the creation of section 116.03 (13) of the statutes and SECTION 2200 (42) (b) of this act take effect on July 1, 1984.

(c) *Elimination of agency school committees; creation of school district boundary appeal board.* The treatment of sections 15.07 (2) (f) and (5) (L), 15.371 (5), 15.375 (2), 20.255 (1) (jz), 62.071 (1) and (2), 115.01 (16), 117.005, 117.01 (1) (b) and (d) 2 and 5, (2) and (4) (a) and (b) 1 and 2, 117.02, 117.03 (title), (1), (3) and (4), 117.035 (1) (title), (a) and (b) and

(2) to (4), 117.04, 117.06 (title) and (1), 117.07 (2), 117.08, 117.09 and 120.02 (3) (d) of the statutes, and the repeal of subchapter II of chapter 116 and section 117.03 (2) of the statutes, as affected by this act, take effect on July 1, 1984.

(d) *Agency school committee appropriation amendment and repeal.* The amendment of section 20.255 (2) (fr) of the statutes, as affected by this act, takes effect on July 1, 1984, and the repeal of section 20.255 (2) (fr) of the statutes, as affected by this act, takes effect on July 1, 1985.

(h) *Aid for pupil transportation.* The treatment of section 20.255 (2) (q) (by SECTION 199r) of the statutes takes effect on July 1, 1984.

(45) REVENUE.

(a) *Adjusting shared revenue overpayments and underpayments.* The treatment of section 79.08 (1) of the statutes takes effect on the first August 15 after publication.

(b) *Property tax exemption; reports concerning waste treatment facilities.* The treatment of section 70.11 (21) (c) of the statutes takes effect on the first February 2 following the date of publication.

(c) *Property tax exemption; family supplies.* The treatment of section 70.111 (5) of the statutes takes effect on the first January 1 following publication.

(e) *School taxes on publicly owned property.* The treatment of sections 70.114, 70.116, 70.117, 70.175 and 121.06 (3) of the statutes and SECTION 2201 (20) (b) of this act takes effect on the first January 1 following the date of publication.

(f) *State property tax relief.* The treatment of sections 79.10 (1), (2) (a), (am), (b) and (d), (3) (intro.) and (a), (4) (intro.), (a), (b) and (d), (5) (a), (6) ~~and (7)~~ and 79.105 of the statutes and of SECTION 2202 (45) (f) of this act takes effect on August 1, 1983, or the day following publication of this act, whichever is later. **Vetoed in Part**

(h) *Cigarette tax on Indian sales.* The treatment of sections 20.835 (2) (ep), 139.30 (14) to (16), 139.31 (1) (intro.), 139.32 (1) and (7), 139.323, 139.325, 139.33 (1), (3) and (4) and 139.38 (7) of the statutes by this act takes effect on the first day of the 3rd month beginning after publication.

(i) *Increase in motor fuel tax and special fuel tax.* The treatment of sections 78.01 (1), 78.14 and 78.40 (1) of the statutes by this act takes effect on August 1, 1983, or the first day of the first month commencing after publication, whichever is later.

(k) *Raffle tickets.* The treatment of sections 77.51 (10) (a), 77.52 (2) (a) 2 and 77.54 (7) of the statutes by this act takes effect on the first day of the 2nd month beginning after publication.

(L) *Review of assessment practices.* The treatment of sections 20.566 (2) (h) (by SECTION 472m), 73.08 (1) (by SECTION 1264h) and 73.08 (2) (by SECTION 1264t) of the statutes takes effect on July 1, 1985.

(m) *Sales tax definitions.* The treatment of sections 77.51 (4) (L), (7) (e) and (f), (24) and (29) and 77.54 (9a) (intro.) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(n) *Shared revenue distribution schedule.* The treatment of sections 79.02, 79.03 (title), (1) and (3) (a), 79.04 (1) (intro.) and (2) (a), 79.06 (1) (a) and (b) and (2) (a) and (b) and 79.085 (3) of the statutes and of SECTIONS 2201 (1) (g) and 2202 (45) (k) of this act takes effect on January 1, 1984.

(o) *Utilities tax.* The treatment of sections 66.073 (16) (b), 70.112 (4), 71.04 (3), 76.01, 76.02 (8) and (9), 76.03 (5), 76.04 (1), 76.07 (1) and (4) and 76.28 of the statutes and of SECTION 2202 (45) (L) of this act takes effect on November 11, 1984.

(p) *Property tax exemption; renewable energy devices.* The treatment of section 70.111 (18) of the statutes takes effect on the first January 1 following publication.

(q) *Property tax statements; homestead credit forms.* The treatment of section 70.665 of the statutes and the creation of section 70.665 (3) of the statutes by this act take effect on the first January 1 following publication.

(r) *Property tax exemption; manure storage facilities.* The treatment of section 70.111 (15) of the statutes takes effect on the first January 1 following publication.

**Vetoed in Part** (rm) *Sales tax exemption for household producers.* The treatment of section 77.54 (31) of the statutes by this act takes effect on July 1, 1985.

**Vetoed in Part** (rs) *Rented personal property.* The treatment of section 70.111 (20) of the statutes by this act takes effect on January 1, 1984.

(t) *Sales tax exemption for oxygen equipment.* The treatment of section 77.54 (14m) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(u) *Sales tax on newspapers.* The treatment of section 77.54 (15) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(v) *Withholding from pension payments.* The treatment of section 71.20 (11m) of the statutes takes effect on January 1, 1984.

(wn) *Definition of "manufacturing".* The treatment of section 77.51 (27) of the statutes and the creation of section 77.51 (27) (a) to (c) of the statutes take effect on the first day of the 2nd month beginning after publication.

(47) SECRETARY OF STATE.

(a) *Annual report surcharge.*

1. The creation of sections 20.575 (1) (gm), 180.87 (1) (jm) and (pm) and 185.83 (1) (em) of the statutes takes effect on January 1, 1984.

2. The repeal of section 20.575 (1) (gm) of the statutes takes effect on June 30, 1985.

3. The repeal of sections 180.87 (1) (jm) and (pm) and 185.83 (1) (em) of the statutes takes effect on December 31, 1984.

(48) SECURITIES.

(a) *Fee increases.*

1. The treatment of section 551.52 (1) (a) and (2) of the statutes takes effect on January 1, 1984.

2. The treatment of section 551.52 (1) (b) of the statutes takes effect on July 1, 1985.

(51) TRANSPORTATION.

(a) *Municipal and county vehicle registration fees.* The treatment of section 341.35 (3) and (5) of the statutes by this act takes effect on January 1, 1984, or the first day of the 6th month commencing after publication of this act, whichever is later.

(c) *Executive assistant.* The treatment of section 230.08 (2) (mm) of the statutes takes effect on July 2, 1983, or the day following publication of this act, whichever is later.

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Robert M. La Follette institute of public affairs.* The treatment of section 36.25 (23) of the statutes by this act takes effect July 1, 1984.

(57) OTHER.

(a) *Wage assignments for child support obligations.* The amendment of section 767.265 (1) (by SECTION 1766am) of the statutes and the repeal of section 767.265 (1m) (by SECTION 1766c), (2) (by SECTION 1766e) and (2m) (by SECTION 1766g) of the statutes by this act take effect on July 1, 1987, or on the effective date of the 1987-89 biennial budget act, whichever is later.

(b) *Length of service payments.* The treatment of sections 20.865 (1) (c), (ci), (cm), (i), (ic), (im), (s), (si) and (sm) of the statutes by this act, the treatment of section 20.928 (1) of the statutes by this act with respect to funding of length of service payments and the

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creation of sections 111.91 (4) and 230.12 (1) (am) of the statutes by this act take effect on  
July 1, 1985.

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